United Nations S/2016/181

Security Council

Distr.: General
25 February 2016

Original: English

Identical letters dated 24 February 2016 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

Earlier today, we heard an outrageous statement made by Iran's Ambassador to Lebanon, Mohammad Fathali. Iran, the largest supporter and funder of terrorism, today announced its plan to financially reward the families of Palestinian terrorists, up to $30,000.

Fathali announced that "the decision firstly includes giving an amount worth $7,000 to every family of a martyr of the intifada in Jerusalem". Iran's definition of a "martyr" is any Palestinian who murders innocent Israeli men, women and children. This statement comes less than a week after the deplorable statement by Hassan Nasrallah, the head of Hezbollah, Iran's proxy in Lebanon and Syria, threatening the lives of Israeli citizens.

Today's announcement by Mr. Fathali reveals the true face of Iran. On the one hand, Iran promotes a United Nations resolution entitled "A world against violence and extremism" and, on the other hand, it rewards terrorists for carrying out acts of violence against innocent people.

It is appalling to hear a Member State of the United Nations publically admit its plans to fund the current wave of terror that has already taken 32 innocent Israeli lives and has injured hundreds of others. Sadly, while this statement is appalling, it is most definitely not surprising.

Iran continues to sow the seeds of terror around the world and fuels the engine of Palestinian terror and incitement. Iran is proving yet again that wherever there is terror, there is Iran. The primary destabilizing factor in the Middle East is Iran, which instigates instability and chaos throughout the region. Thus, it comes as no surprise that even after signing the Joint Comprehensive Plan of Action, Iran is still deeply involved in encouraging terrorism.

The international community must unite to stop the flow of Iranian terror money.

At a time when the United Nations is discussing the important issue of preventing violent extremism, it is imperative that you make your voice heard. Iran's recent statement and its ongoing support of terror must be condemned.

I should be grateful if you would have the present letter distributed as a document of the Security Council.

(*Signed*) Danny **Danon**
Ambassador
Permanent Representative

16-03027 (E) 260216

Please recycle

United Nations S/2016/182

Security Council

Distr.: General
25 February 2016

Original: English

Report of the Secretary-General on the United Nations Support Mission in Libya

I. Introduction

1. The present report is submitted pursuant to Security Council resolutions 2238 (2015) of 10 September 2015 and 2259 (2015) of 23 December 2015. It covers major political and security developments in Libya, provides an overview of the human rights and humanitarian situation in the country, and outlines the activities of the United Nations Support Mission in Libya (UNSMIL) since my report of 13 August 2015 (S/2015/624).

II. Political and security-related developments

2. Despite persistent political and institutional divisions, continuing armed confrontations across Libya and the expansion of terrorist groups, the political process facilitated by the United Nations and supported by regional and international engagement has made progress. Instability and conflict continued to aggravate the plight of the civilian population in many parts of the country, particularly in Benghazi. The suicide car bomb attack on 7 January in Zliten, the deadliest attack since the 2011 revolution, demonstrated the growing threat constituted by the increasing presence and influence of Islamic State in Iraq and the Levant (ISIL) affiliates and other terrorist groups.

3. On 17 December, the political dialogue process reached an important milestone with the signing of the Libyan Political Agreement in Skhirat, Morocco. The Agreement established a nine-member Presidency Council of the Government of National Accord, headed by the Prime Minister-designate, Fayiz al-Sarraj. One month later, the Presidency Council presented its proposal for a Government of National Accord for endorsement by the House of Representatives. On 25 January, the House of Representatives voted to endorse the Libyan Political Agreement, with the exception of article 8 of its additional provisions, and asked the Presidency Council to present a new Cabinet proposal, which it did on 14 February. At the same time, the institutional crisis resulting from competing claims of legislative legitimacy from the General National Congress and the House of Representatives continues to undermine progress in the political process.

16-02253 (E) 260216

Please recycle

Political dialogue process

4. Throughout the reporting period, UNSMIL remained actively engaged in efforts to facilitate the formation of a unity government supported by security arrangements, in order to bring an end to the institutional crisis and armed conflict. Although important progress was made with the signing of the Libyan Political Agreement and the announcement of a Government of National Accord, much work remains to be done on the implementation of the Agreement, including on broadening the base of support for the new transitional institutions, ensuring a peaceful transfer of power, establishing security arrangements allowing the Government to operate effectively from Tripoli, the Libyan capital, and addressing the humanitarian needs of the Libyan population.

5. Building on the momentum gained from the initialling of the Libyan Political Agreement on 11 July in Skhirat, UNSMIL continued to work closely with all the main parties in Libya throughout August and September to facilitate consensus on annexes to the Agreement, including the composition of the Presidency Council and the priorities of the Government of National Accord, internal rules of procedure for the State Council, a proposed amendment to the Constitutional Declaration, fiscal policy principles and security arrangements.

6. The political dialogue reached a new threshold on 21 September, when participants in the dialogue all agreed on all annexes to the Agreement except the list of members of the Presidency Council. Following a high-level meeting on Libya on 2 October, on the side-lines of the General Assembly in New York, dialogue participants reconvened in Skhirat on 7 October to discuss the composition of the Presidency Council. On 8 October, after extensive consultations with dialogue participants, a list of six nominees who had received the broadest support from the participants was announced. Three additional members were subsequently added following consultations with key political actors, as a means of improving political and geographical balance.

7. Despite the arrival at a consensus list of nominees for the Presidency Council, neither the General National Congress nor the House of Representatives made formal pronouncements on the Libyan Political Agreement in the ensuing months. When participants in the political dialogue convened in Tunis on 10 and 11 December, they agreed to move forward with the signature of the Agreement.

8. On 17 December, participants in the political dialogue, including the Deputy Presidents of the General National Congress and the House of Representatives, signed the Libyan Political Agreement in Skhirat. Although the signing took place without the formal endorsement of the General National Congress and the House of Representatives, my Special Representative reiterated the commitment of the United Nations to support the Presidency Council in addressing the concerns of all relevant parties as it began the process of forming a Government of National Accord, and emphasized that the door remained open for all who wanted to join the road to peace.

9. In parallel to the main political track, in order to broaden the base of support for the political process, UNSMIL also convened meetings of representatives of Libyan municipalities. After the signing ceremony on 17 December, my Special Representative facilitated a meeting between representatives of 36 municipalities and the Prime Minister-designate. On 21 December, representatives of 23 municipalities

convened in Tunis to sign the Agreement as witnesses. Meanwhile, the nine members of the Presidency Council took up their duties in accordance with the Libyan Political Agreement and on 13 January decided to establish the Temporary Security Committee to facilitate the implementation of the security arrangements outlined in the Libyan Political Agreement.

10. On 18 January, the Presidency Council nominated a 32-member Government of National Accord. In accordance with the Libyan Political Agreement, the Prime Minister-designate presented the Cabinet to the House of Representatives for endorsement. At a session on 25 January, the House of Representatives voted to endorse the Libyan Political Agreement with the exception of an article in the additional provisions pertaining to senior military and security posts. The House of Representatives also voted to reject the proposed Government of National Accord and asked the Presidency Council to present a new Cabinet of no more than 17 ministers. On 14 February, the Presidency Council submitted a new proposal for the Government of National Accord, comprising 13 ministers and 5 ministers of state, for the endorsement of the House of Representatives.

11. Separately from the main political track, the House of Representatives delegation to the dialogue held discussions with a group of parliamentarian boycotters in Skhirat in September. On 18 September, they reached a tentative agreement to allow the boycotters to participate in the new transitional phase from within the House of Representatives. UNSMIL continued to facilitate talks to enable the former boycotters to join the House of Representatives. On 17 January, my Special Representative accompanied two former boycotters to a meeting in Shahhat with the President of the House of Representatives, Agila Saleh Essa Gwaider, for further discussions on convening a full session of the House of Representatives to discuss endorsement of the Government of National Accord.

Regional and international engagement

12. Neighbouring countries played an important role in supporting the political process in Libya. My Special Representative attended the seventh ministerial meeting of Libya's neighbouring countries in Algiers on 1 December. The meeting provided an opportunity to exchange views with representatives of the African Union, the European Union and the League of Arab States on progress in the dialogue process and common challenges resulting from the situation in Libya.

13. Regional and international support and positive engagement were also critical to the progress in the political process. On 13 December, my Special Representative was present at a ministerial meeting in Rome attended by a number of Member States and regional organizations, at which participants expressed strong support for the United Nations-facilitated political process and called for the formation of a unity government. My Special Representative also attended a meeting of senior officials in Rome on 19 January with expanded international participation, which offered an opportunity for a wider group of Member States to discuss options for international support to Libya directly with representatives of the Temporary Security Committee.

14. On 28 January, my Special Representative attended and briefed the fifth meeting of the International Contact Group for Libya, hosted by the African Union during the summit of Heads of State and Government in Addis Ababa.

Situation in the west

15. The security situation in western Libya remained fragile. The increased activity of ISIL and a sharp rise in crime levels added another layer of threats to a complex security setting. While many of the armed groups that control western Libya declared their intent to support the Libyan Political Agreement, some continued to be loyal to the leadership of the General National Congress and its self-appointed Government of National Salvation. The Libya Dawn coalition showed further fractures along political and geographical lines.

16. The reporting period also witnessed evolving tensions and sporadic outbreaks of violence between the various armed groups in Tripoli. Early in November, the Tripoli Revolutionaries Brigade attacked and briefly occupied the headquarters of the Council of Ministers in Tripoli. Clashes in the south-west of Tripoli erupted in November between the Abu Salim militia and armed groups from Gharyan and Misratah. In December, fighting in eastern Tripoli between rival local armed groups left at least 10 people dead, including civilians.

17. Local ceasefire arrangements in western Libya earlier in 2015 proved sufficiently resilient to absorb local escalation. The ceasefire between Zawiyah and Warshafanah was put to a serious test late in October when a military helicopter crashed close to Zawiyah, killing at least 15 people on board, among them high-ranking military officers and Libya Dawn commanders. The incident led to large-scale mobilization of forces from both sides. After a standoff and sporadic clashes over several days, local intermediaries succeeded in having the two sides renew their commitment to the ceasefire agreement.

Situation in the east

18. Persistent clashes in eastern Libya dominated much of the reporting period. Confrontations in Benghazi involved a complex constellation of actors, including forces loyal to General Khalifa Haftar, neighbourhood militias, Salafist armed groups and Islamist revolutionary brigades, as well as terrorist entities such as Ansar al-Sharia and ISIL.

19. Fighting continued in particular between army units loyal to General Haftar and the Benghazi Revolutionaries Shura Council. Neither side managed to make significant gains on the ground. In mid-September, General Haftar launched an air offensive against the Shura Council which had no discernible effect. Although there are no official figures of casualties, an estimated 150 fighters from both sides are believed to have been killed during the reporting period. The most serious violence in Benghazi involved a mortar attack in mid-October targeting a public rally against the Government of National Accord. Nine people were killed in the attack and around 50 wounded.

20. In December, Ajdabiya witnessed a severe deterioration in security as a result of clashes involving, on one side, various Islamist armed groups, including the Ajdabiya Revolutionaries Shura Council — comprising Islamist revolutionaries and the Ansar al-Sharia group — and, on the other, local Salafist militias and forces loyal to General Haftar. At least 23 people were killed and 60 injured, among them civilians, during 10 days of fighting. Fighter jets loyal to General Haftar conducted airstrikes against Shura Council targets on 26 December.

Situation in the south

21. Persistent intercommunal tensions and rising crime levels in Sabha and Awbari dominated the reporting period. In Sabha, confrontations between Awlad Sulayman on one side and the Qadhadhfa and the Tebu communities on the other, including an increase in cases of intercommunal revenge killings, contributed to heightened tensions in the city. The situation was further aggravated by a number of politically motivated assassinations and kidnappings of government officials. In October, unidentified groups abducted the Head of the Judicial Police and the Municipal Under-Secretary of Sabha in separate incidents.

22. In Awbari, the implementation of a ceasefire agreement reached on 22 November in Doha between Tuareg and Tebu community representatives stalled following doubts raised by Tebu representatives with respect to the neutrality of the force tasked with monitoring the ceasefire. The agreement, which was negotiated under the auspices of Qatar, provided for a cessation of all hostilities, an exchange of prisoners, and the establishment of a committee of elders to oversee the implementation of the agreement. Critically, the agreement also provided for the deployment of a neutral force from the Hasawna tribe as monitors under the supervision of the Third Force. Tensions escalated further when clashes between Tebu and Tuareg armed groups erupted on 10 January, and again on 16 January. Nine people were reportedly killed in the second round of clashes. Subsequent mediation efforts by community representatives from both sides succeeded in facilitating the deployment of the monitoring force, starting on 6 February.

23. Tensions between the Tebu and Zway communities contributed to ongoing tensions in Kufrah in the south-east. In retaliation for the siege laid to Tebu neighbourhoods in the city by Zway armed elements, Tebu militias continued to encircle Kufrah, hindering the movement of population and access to basic commodities. The reporting period also witnessed frequent incidents involving abduction and killing of civilians from both communities.

ISIL expansion

24. The expansion of ISIL added another layer to an already complicated security setting. The group managed to consolidate its grip on Sirte and its surroundings, effectively controlling a strip of more than 250 km. The group established a military infrastructure including training camps, storage areas and fortifications, in addition to rudimentary institutions of governance referred to as "Islamic courts" and "Islamic police". After the failed uprising of the Furjan tribe in Sirte in August, during which ISIL killed scores of Furjan fighters and supporters, the group faced no serious opposition in the area.

25. From its bases in Sirte and Nawfaliyah, ISIL made a number of attempts to expand its control, in particular eastwards to the oil crescent region. The group carried out a series of raids on oil installations before launching an attack early in January against the oil terminals of Sidrah and Ra's Lanuf, leading to fierce clashes with the Petroleum Facilities Guards. At least 30 ISIL fighters and 10 Guards were killed during several days of clashes in which the terrorist group detonated a number of suicide car bombs. Several oil tanks were set on fire during the fighting. Although ISIL forces failed to take over the two oil ports, they succeeded in assuming full control of the town of Bin Jawwad. In mid-January, ISIL forces attacked oil facilities in Maradah, some 150 km south of Ra's Lanuf.

26. ISIL also stepped up its attacks in the western region. A suicide car bomb attack on 7 January against the Jahfal Police Training Camp in Zliten, some 50 km west of Misratah, resulted in at least 59 deaths and injured more than 180, making it the deadliest terrorist attack in Libya since the 2011 revolution. A car bomb attack in November on a checkpoint close to Khums killed eight people.

27. Moreover, ISIL scaled up its activities in and around Tripoli and Sabrathah. In September, it attacked the prison of the Special Deterrence Force at Mitiga Airport, Tripoli, leading to the death of at least five ISIL members and three guards. In Sabrathah, the group held a parade of more than 30 vehicles early in December and temporarily established checkpoints in the southern part of the city. On 19 February, the United States of America announced that it had carried out airstrikes on suspected ISIL targets in the Sabrathah area.

28. In Derna, clashes continued between ISIL fighters and the Derna Mujaheddin Shura Council. Much of the fighting focused on the Fata'ih area and neighbourhood No. 400 to the south of the city, where ISIL fighters had set up base following their eviction from the town in June 2015. Fighter jets from Haftar's forces launched a series of airstrikes against ISIL positions around the town in December.

29. In Benghazi, local army units and neighbourhood armed groups fought against emerging ISIL elements, including in the Laythi area. Elsewhere in the east, Ajdabiya witnessed a series of assassinations of Salafist preachers and military officers during the reporting period, a number of which have been claimed by ISIL.

III. Constitution drafting process

30. A 12-member committee formed by the Constitution Drafting Assembly to prepare a first draft of the constitution published its work on 6 October. The formation of the committee had earlier prompted the Assembly's two Tebu representatives to suspend their membership in protest at their exclusion from the committee.

31. The draft was seen as a reasonable first step towards laying the foundation for a permanent constitution. The draft fell short, however, of international law and standards, particularly with respect to provisions relating to the formation of the State, separation of powers, primacy of the constitution over other aspects of internal law, rights and liberties, the judiciary and the Constitutional Court. Other shortcomings pertained to women's rights and inadequate safeguards against arbitrary detention, torture and unfair trial.

32. Following a detailed analysis by UNSMIL, the Mission made a number of recommendations to the Constitution Drafting Assembly for improvements to the draft. In the light of this feedback and other concerns raised within the Assembly, the Constitution Drafting Assembly requested the committee to review the draft and to reach consensus on outstanding issues.

IV. Other activities of the United Nations Support Mission in Libya

A. Electoral support

33. The volatile political and security situation rendered it difficult for the United Nations electoral support team, managed jointly by UNSMIL and the United Nations Development Programme (UNDP), to implement planned activities in support of the High National Elections Commission. Nonetheless, the Commission's 17 district electoral offices remained operational across the country. In its support to the Commission the team focused primarily on implementing activities directed at strengthening technical capacities and cultivating knowledge and awareness on electoral issues among key decision makers. The team continued to coordinate international electoral assistance and facilitated contacts between the Commission and its counterparts in the Arab region, enabling it to remain engaged with the wider electoral community in the region.

B. Human rights, transitional justice and rule of law

34. All parties to the conflict in Libya continued to perpetrate widespread violations of international humanitarian law and violations and abuses of international human rights law, including unlawful killings, abductions, hostage-taking, enforced disappearances and torture. Civilians bore the brunt of many of these violations and abuses, some of which may amount to war crimes. UNSMIL continued to call for an end to such abuses and for those responsible to be held accountable.

35. Ongoing fighting and the indiscriminate shelling of residential areas continued to result in the death and injury of civilians, including children and medical workers, while also causing damage to civilian infrastructure. Ajdabiya, Benghazi, Derna, Kufrah and Warshafanah were particularly affected. Bombings and suicide attacks also claimed the lives of dozens of people, many of them civilians.

36. The reporting period witnessed a rise in politically motivated assassinations, particularly in Benghazi and Ajdabiya. UNSMIL documented at least six such cases in which security officials and Salafists in Ajdabiya were targeted.

37. Areas under the control of ISIL, mainly in central Libya, witnessed gross human rights abuses. These included summary executions, abductions and torture. Following three days of fighting in the third district of Sirte, triggered by the suspected killing by ISIL of a local imam vocal in his opposition to the group, witnesses reported seeing four bodies hung from poles across the city. From 14 to 18 October, at least six executions were reported in Sirte and eastern Libya, including of two people accused of sorcery.

38. Serious concerns remain for the safety of those held by ISIL, including four men from Bin Jawwad captured on 4 January. The group also carried out floggings in Sirte, including of foreign nationals accused of drinking, following convictions by self-appointed "Islamic courts". Women and girls have had restrictions imposed on their freedom of movement without male guardians, as well as a dress code that includes a full-face veil.

39. The issuance in January by the General National Congress of Decision No. 2 regarding "Enforcement of the provisions of state of alert and public mobilization" heightened concerns regarding attempts by the former legislature to curtail civil liberties in Tripoli and elsewhere in western Libya. Of particular concern are provisions restricting the travel of civil servants and other officials, and requesting political parties to disclose information regarding membership and finances. Other provisions require advance notification of movements by foreign diplomatic missions and the monitoring of foreign nationals.

Abductions and torture

40. Armed groups on all sides continued to abduct civilians on the basis of their identity, family or perceived political affiliations. Detainees continued to be held in official and unofficial detention facilities, often denied contact with the outside world or access to judicial authorities.

41. In eastern Libya, abductions included opponents of Operation Dignity and individuals accused of terrorism. The fate and whereabouts of those captured by the Benghazi Revolutionaries Shura Council, including prisoners taken from Bouhdeima military prison in October 2014, are unknown, and there are serious concerns for their lives and safety.

42. The reporting period saw an increase in criminally motivated kidnappings for ransom, at times targeting children, particularly in western and southern Libya. Three children from the Alshirshari family who were kidnapped on 2 December in Surman continue to be held captive.

43. Throughout the reporting period, UNSMIL documented evidence of torture and other ill-treatment at a number of official and unofficial facilities across Libya. In the east, these included the facilities of the Department of Combating Terrorism in Barsis and Bu Jazirah; Kuwayfiah and Garnadah prisons; the Tokra detention facility; and those of the Criminal Investigations Department in Benghazi and Marj. In the west, locations included the Mitiga detention facility under the Special Deterrence Force and detention facilities under the control of the Abu Salim, Salah al-Burki, Abu Bakr al-Siddiq and Awlad Issa armed groups. UNSMIL also received reports of a number of deaths in custody in eastern and western Libya.

44. There were a number of prisoner exchanges and releases during the reporting period. In September, a total of 61 men detained since the conflict in 2011 were released from Misratah prisons. Another 51 men were released in exchanges between Zawiyah, Warshafanah and Abu Salim in November.

Groups in vulnerable situations

45. Human rights defenders continued to be at risk of violence and intimidation. In August, UNSMIL convened a two-day meeting bringing together human rights defenders and civil society actors with the aim of enhancing their role in the Libyan political dialogue and in peacebuilding efforts.

46. Migrants, asylum seekers and refugees remained at risk of prolonged detention in substandard conditions, torture, violent attacks, forced labour, rape and other sexual and gender-based violence and exploitation at the hands of members of armed groups, criminal gangs and members of the police. UNSMIL received reports of two gang rapes of migrant women in western Libya in November. Thousands of

foreign nationals remained detained for migration-related offences without legal recourse in facilities under the Ministry of the Interior or directly controlled by armed groups in deplorable conditions. In partnership with the International Medical Corps, UNHCR has instituted a system of weekly access and monitoring in 8 of the 18 State-operated detention centres.

47. Some 435,000 people remained internally displaced as a result of the conflict since mid-2014 and the ongoing insecurity. On 9 January, the Tawergha internally displaced persons camp in the Sports City complex in Benghazi was shelled twice, resulting in the deaths of two people and six others injured among the camp residents.

48. In Tripoli, the General National Congress amended provisions of the Personal Status Law (1984) relating to the rights of women. The move, while legally questionable given the status of the General National Congress, would particularly restrict women's rights in matters of divorce and polygamy, and pave the way for child marriages.

49. Journalists and other media workers were subjected to attacks including abductions, torture, violent assaults, and threats directed against them and their relatives. A number of journalists subsequently released reported being questioned about their work, political affiliations and relationships with international organizations.

50. In partnership with the Ministry of Foreign Affairs and Cooperation of Spain, the United Nations Educational, Scientific and Cultural Organization (UNESCO) convened a workshop for senior managers of a number of Libyan media outlets to discuss growing violence against journalists and media professionals. The workshop concluded with a declaration rejecting hate speech and committing to the implementation of basic ethical and professional standards.

Transitional justice

51. Building on earlier commitments by the municipalities of Misratah and Tawergha, a joint committee met several times during the reporting period to discuss modalities for the return of Tawerghan internally displaced persons to their homes. With UNSMIL facilitation, the two sides agreed on a road map that outlined provisions for a voluntary and safe return of displaced Tawerghans. The document of 18 December also outlined measures regarding reparations to victims of human rights abuses, accountability for perpetrators, provisions for security, and the reconstruction of Tawergha as well as of damaged areas in Misratah.

52. The trial of Saadi Qadhafi, charged with ordering the murder of footballer Bashir al-Rayani in 2006, began in November. Video footage released in August showed Mr. Qadhafi in Hadhbah prison being physically assaulted and forced to watch two detainees apparently being beaten. The prosecution announced an investigation and, in response to the Mission's intervention, confirmed that arrests had been carried out without providing further details.

53. The case of 32 former Qadhafi regime officials convicted by the Tripoli Court of Assize in July 2015 in proceedings which fell short of international standards for fair trial remained pending before the Court of Cassation following appeals by their lawyers. Saif al-Islam Qadhafi, son of Muammar Qadhafi, was tried and sentenced to death in absentia while continuing to be held by an armed group in Zintan. The

Prosecutor of the International Criminal Court continued to urge his handover to the Court.

Judiciary and penal system

54. Ongoing fighting and insecurity continued to impede court functions, particularly in Sirte, Derna and Benghazi. On 29 December, the public prosecution in Shahhat announced the suspension of its functions following an attack on its premises by armed men. Assassinations, abductions and other violent attacks continued to target judicial sector employees.

55. In a move largely viewed as an attempt to politicize the judiciary, the General National Congress appointed 36 new judges to the Supreme Court. This is the highest number of appointments to the Court since 2011.

56. Clashes between armed groups in Tajura' on 14 December prompted Tajura' B Prison staff to evacuate 364 prisoners to safety. Many escaped during the evacuation, and 226 prisoners remain at large. The prison building itself is no longer usable.

57. In November, UNSMIL organized a meeting for Libyan prison managers in Tunis. The meeting gathered 14 prison managers from across Libya and adopted a code of ethics and conduct. In December, UNSMIL and the United Nations Office on Drugs and Crime organized a workshop in Amman for Libyan correction officers to promote human rights and rule of law principles.

C. Security sector

Support to Libyan planning for interim security arrangements

58. A key focus of the Mission's engagement on security issues has been the development of an implementation plan for security arrangements outlined in the Libyan Political Agreement. Elements include advice on a security plan for Tripoli, including options for the standing down of armed groups and the revitalization of the Libyan army and security institutions; a comprehensive engagement plan with a broad spectrum of Libyan security actors; development of a common understanding of the security track of the political dialogue by the international community; advice to the Presidency Council on the development of the security track; and advice on reorganizing and modernizing the Libyan army.

59. The appointment by the Presidency Council of the Temporary Security Committee on 13 January was an important milestone. With UNSMIL assistance, the Committee is expected to develop a detailed plan to achieve the strategic objective of establishing the Government of National Accord in Tripoli. This is seen as a first step towards effectively addressing other fundamental issues relating to the situation in Benghazi and efforts to counter ISIL.

60. Pursuant to its engagement strategy developed earlier in 2015, UNSMIL liaised with a broad spectrum of Libyan armed groups on the interim security arrangements. Discussions focused on four key issues, namely, ensuring a strong commitment to the interim security arrangements and their operationalization through the Temporary Security Committee; the cantonment of weapons; addressing the future role of armed groups; and reorganizing and modernizing the Libyan army.

61. In parallel, UNSMIL provided the Presidency Council with technical support and advice on the security track of the political dialogue. This has focused primarily on developing and implementing the security concept underlying interim security arrangements, and coordinating international assistance on security issues.

62. The engagement of the international community on the security track has been a key line of effort by UNSMIL. This task has been undertaken through continuous engagement with representatives of the international community, including through joint planning and sharing of expertise and best practices. The international meetings held in Rome on 12 and 13 December and on 18 and 19 January provided a much-needed platform to underscore the urgency of coordinating international support and tailoring it to the immediate security needs of the Government of National Accord.

63. During the reporting period, UNSMIL welcomed and supported the resolve of the Presidency Council to address issues relating to the reorganization and modernization of the Libyan army. In particular, the Presidency Council has made progress in conceptualizing a phased approach, which sees first a focus on transitional security arrangements, then the reorganization of the Libyan army, and finally its eventual modernization. In time, the reorganization and modernization of the Libyan army will require considerable support from UNSMIL and the international community, as will the strengthening of the internal security forces including police.

Arms and ammunition management

64. The United Nations Mine Action Service facilitated discussions between the national mine action authority and a number of Libyan municipal councils to begin non-technical surveys to assess the work required to enable the return of both the Gawalish and the Tawergha communities to their respective hometowns. In addition, the Service provided three advanced training courses on explosive ordnance disposal for 50 personnel in the National Safety Authority and continued risk education to reduce the danger to civilians living in areas contaminated by explosive remnants of war.

65. The Mine Action Service is also implementing a pilot project to promote a gender-balanced approach to small arms control, focusing on awareness-raising and risk reduction education. In the light of the widespread proliferation of small arms and light weapons in the region, the project will build Libyan women's capacity to raise awareness of the high risk associated with these weapons and ammunition within their communities. The initiative is being undertaken in cooperation with the United Nations Institute for Disarmament Research.

D. Women's empowerment

66. The Mission also continued to undertake and support activities aimed at strengthening the participation of women in the political process. From 26 to 28 August, UNSMIL facilitated a meeting of Libyan women from across the country's political spectrum, regions and cultural and ethnic groups in Tunis. The participants agreed on recommendations for gender provisions to be included in the Libyan Political Agreement. In November in Geneva, UNSMIL facilitated a meeting for Libyan women representatives to develop a peace agenda for Libya. My Special

Representative continuously engaged with participants in the political process to encourage improved gender representation. On 11 January, he announced his strong support for a call for a 30 per cent women's quota in the Government of National Accord by leaders of women's groups and women activists convening in Tunis.

E. Coordination of international assistance

67. UNSMIL has proposed a new coordination structure for international assistance to Libya, which would reflect the priorities of the Government of National Accord as outlined in the Libyan Political Agreement. The proposal was developed in close consultation with the international community and Libyan stakeholders. The proposal, along with a separate matrix outlining pledged offers of assistance, has since been presented to the Presidency Council for its consideration.

68. Progress in the Libyan political dialogue process and the subsequent signing of the Libyan Political Agreement provided renewed impetus for United Nations and other international efforts focused on recovery and post-conflict transition in Libya. During the reporting period, UNSMIL, UNDP, the Economic and Social Commission for Western Asia, the International Monetary Fund and the World Bank jointly established the Libyan Experts Development Cooperation Forum. The Forum is expected to serve as a platform for focused engagement on priority issues affecting government functionality, recovery and post-conflict transition. Moreover, the Forum will assist in the institutionalization of the post-conflict national development dialogue in Libya and in proposing socioeconomic policy options and strategies supporting the formulation of the long-term national integrated development agenda for Libya. The Forum convened meetings in October and December in Tunis.

F. Humanitarian assistance

69. Recognizing the necessity to scale up the humanitarian response in Libya, the humanitarian country team launched in November the Humanitarian Response Plan 2016. The document is designed to adapt to a fluid and volatile operating environment, and to mobilize a response calibrated to deliver where there are most needs and with the greatest impact. Out of a $165,600,000 funding requirement, the Plan is only 2.2 per cent funded. Approximately 2.44 million people have been identified as in need of protection and some form of humanitarian assistance.

70. Figures from the Office of the United Nations High Commissioner for Refugees (UNHCR) indicate that the number of internally displaced in Libya has increased to approximately 435,000 persons, including 290,000 women and children. Of those, an estimated 146,275 persons are located in eastern Libya (117,275 persons in Benghazi alone), with the remaining 288,725 located in western and south-western parts of Libya, mostly in and around Tripoli. The expansion of ISIL and military operations in Ajdabiya resulted in a pattern of repeated internal displacement from Sirte, Bin Jawwad and Ajdabiya to other areas, mainly Tripoli, Misratah, Bani Walid and Tarhunah.

71. In October, UNHCR resumed registration activities for new asylum seekers throughout Libya. Approximately 100,000 refugees and asylum seekers are currently being hosted by Libya, of whom 36,868 have registered with UNHCR.

72. During the reporting period, the International Organization for Migration (IOM) assisted 2,167 internally displaced families and 5,206 migrants rescued at sea, detained or irregularly residing in Libya. In addition, 439 migrants from 12 different countries have benefited from humanitarian repatriation to their countries of origin.

73. A total of 37,695 refugees and migrants reached Italy by boat from the African continent between September and December, mostly from Libyan shores. From late August to December, more than 7,600 persons were intercepted or rescued by the Libyan coastguard, including 434 women and 70 children. Some 3,700 persons were reported dead or missing in the Mediterranean Sea. A Libyan interministerial information-sharing mechanism, which also includes the Libyan Red Crescent, has been established to improve Libya's response to boats in distress off its coasts.

74. Libya remains a country of both transit and destination for migrants, despite the challenging security situation. According to IOM figures, Libya currently hosts approximately 1 million migrants, mostly from Bangladesh, Egypt, Mali, the Niger, Nigeria, the Sudan and other sub-Saharan and West African countries. The large-scale presence of migrants and of internally displaced persons in Libya as a result of the ongoing conflict has put a considerable strain on local host communities.

75. It is estimated that 682,000 Libyans, mainly internally displaced persons, lack adequate access to safe drinking water, hygiene and sanitation services, creating serious health risks. UNICEF provided access to sanitation services to some 1,700 displaced families.

76. Limited financial resources and lack of access to and closure of hospitals and health facilities, combined with severe shortages in life-saving medicines, continue to have a serious impact on the health sector. The World Health Organization (WHO) supplied major consignments of medicines and life-saving supplies to Tripoli, Bayda, Zliten and Benghazi. Trauma kits and emergency health kits were dispatched to Zliten following the bomb attack in January. Together with the United Nations Children's Fund (UNICEF) and the United Nations Population Fund, WHO has supported the development of a national strategy on reproductive, maternal, child, neonatal and adolescent health.

77. Despite limited funding, the World Food Programme (WFP) continued to provide urgently needed food assistance to the most vulnerable and food insecure populations in Libya. Since December 2015, WFP has distributed food to 102,000 people in western and southern Libya and to some 78,000 beneficiaries in and around Benghazi.

78. According to an assessment by the Food and Agriculture Organization of the United Nations (FAO) in September, the deterioration of veterinary services has heightened the risk of outbreak of transboundary animal diseases. In December, FAO began assisting the Libyan Agricultural Authority in responding to an outbreak of avian influenza detected late in September.

79. An in-depth assessment supported by UNICEF found that 65 per cent of the 1,600 children assessed in camps for internally displaced persons exhibited moderate or severe post-stress symptoms, as many were forcibly displaced and have experienced destruction of infrastructure or loss of family members or friends. UNICEF and its partners provided 6,000 girls and boys with psychosocial support in

eight child-friendly spaces. Child protection concerns have increased dramatically since the escalation of the Libya conflict in 2014.

80. While UNESCO and other international partners have stepped up support and training related to emergency management and protection of museums and cultural assets, the ability of concerned national institutions and partners to respond effectively is increasingly constrained by the widespread instability and lack of effective governance.

V. Deployment of the United Nations Support Mission in Libya

81. Owing to security conditions in Libya, the majority of the UNSMIL international staff remain deployed in Tunis, where the Mission established a temporary headquarters. As at 31 December, a total of 169 UNSMIL international and national staff members and government-provided personnel were deployed in Tunis. In addition, UNSMIL has three staff members at Headquarters and 11 at the United Nations Logistics Base at Brindisi, Italy.

82. In relation to the UNSMIL presence in Tunisia, the United Nations and the Government of Tunisia concluded an agreement on the emergency temporary relocation of UNSMIL to the country, in order to ensure that the Mission can continue to carry out its mandate from there.

83. From 11 to 16 January, a needs assessment mission visited Tunis and Tripoli. It was asked to look specifically at conditions of service and safety of UNSMIL staff in Tunis, UNSMIL aviation needs and options for the re-establishment of a small permanent UNSMIL presence in Tripoli. The mission's key recommendations included a reassessment of staffing arrangements; the application of measures to improve the perimeter security of the UNSMIL building in Tunis and the continuation of the search for other facilities; the implementation of one of two options proposed for increased aviation support; and a review of the Protective Services Unit. The mission also evaluated potential locations in Tripoli and provided its assessment of the risks and benefits of each option, and recommended that UNSMIL undertake a phased approach regarding the return of staff to Tripoli: an initial deployment of a small substantive team accompanied by support elements and armed United Nations security personnel, and a second phase involving the presence of the Special Representative of the Secretary-General and senior United Nations officials. The needs assessment mission advised that this approach would be conditional on the deployment of a United Nations Guard Unit, and suggested that immediate procedures be commenced for the establishment of a Guard Unit, including, most urgently, a security risk assessment led by the Chief Security Adviser.

VI. Safety and security

84. The overall security situation throughout Libya remained highly volatile and was marred by several significant incidents during the reporting period. Terrorist attacks, kidnappings and other security incidents against foreigners in general, and specifically targeting the international community, continued to occur. Diplomats and foreign nationals were targeted and kidnapped by militants, for ransom or to demand the release of fighters being held by foreign Governments. A number of

foreign nationals were executed or kidnapped for financial reward by either violent extremist groups or criminal gangs.

85. On 31 August in Tripoli, a vehicle-borne improvised explosive device detonated outside the Mellitah Oil & Gas company premises. On 8 September in Tripoli, militiamen physically assaulted a UNHCR local staff member in connection with a car accident. On 1 October in Misratah, an explosive device detonated at the Turkish consulate. There was another explosion at the same location a few days later. On 8 November in Sabrathah, two Serbian embassy officials were abducted during an attack on their convoy en route to the Tunisian border. On 14 December in Tripoli, unidentified assailants abducted a Maltese hospital manager. On 12 January in Zuwarah, an unidentified armed group attacked the Mellitah Oil & Gas complex.

VII. Financial aspects

86. The total resources approved for UNSMIL for the period from 1 January to 31 December 2016 amount to $41,181,500, approved by the General Assembly in its resolution 70/249 A-C.

VIII. Observations and recommendations

87. The signing of the Libyan Political Agreement on 17 December was an important step forward in the Libyan political dialogue, and the efforts of the international community to bring an end to the institutional crisis and military conflict that have wrought destruction on Libya and its people. The success of the dialogue process owes much to the courage, commitment and determination of all the participants in the Libyan political dialogue to reunite their country and spare their people further bloodshed and suffering. The Libyan Political Agreement offers a framework for the Libyan people to realize the opportunities made possible by the 2011 Libyan revolution, particularly in building a democratic state founded on the rule of law and respect for human rights.

88. I am encouraged by the decision of the House of Representatives to endorse in principle the Libyan Political Agreement and the Presidency Council emanating from it. Together with steps to heal internal divisions within the legislature, Libya's elected representatives have shown great resolve in moving to fulfil their responsibilities towards their country and people after months of political uncertainty. The nomination by the Presidency Council, on 14 February, of a new list of ministers for the Government of National Accord was also a positive step forward. I take this opportunity to remind all parties that Libya's ability to turn over a new leaf in its transition towards greater stability and security will require a commitment to uphold the Libyan Political Agreement in form and spirit. In line with Security Council resolution 2259 (2015), the full implementation of all relevant provisions of the Agreement as signed by the parties in Skhirat on 17 December will be key in this regard.

89. Despite demonstrable progress, the political future of Libya remains highly uncertain. Many political and military leaders continue to oppose efforts aimed at taking the country to the next phase in its democratic transition. The door must remain open for all parties to join the political process. The road to viable and

sustainable peace, security and prosperity is one that requires the collective efforts and commitment of all parties to uphold Libya's national interests above all other considerations. Libya's political leaders must take responsibility for the future of their country. They must also make clear to all actors on the ground that continued violence, kidnappings and brazen statements of intimidation towards those seeking to advance the Libyan Political Agreement are unacceptable.

90. Progress towards resuming Libya's democratic transition is also a critical factor in the fight against the forces of terrorism and violent extremism. The relative ease with which groups such as ISIL have expanded their spheres of control and influence over the past few months is a matter of grave concern. I urge all parties to redouble their efforts to eliminate the political and security vacuum created by the absence of unified State institutions, which has allowed terrorist groups to consolidate their presence and increasingly pose a direct threat to Libya and the region. Unfolding developments elsewhere in the region are a clear reminder that time is of the essence, and that unless there is quick progress to form a united political and security front under the authority of a unified Libyan State, the battle against terrorism could well be lost. Libya's leaders on all sides have a responsibility to save their country and future generations from the scourge of terrorism and violent extremism.

91. As the military conflict continues unabated in different parts of the country, hundreds of thousands of ordinary Libyans continue to bear the appalling consequences of the humanitarian crisis. Close to half a million people have been displaced, many enduring a pattern of repeated displacement. Many hundreds of thousands of Libyans lack basic amenities, including adequate access to safe drinking water, hygiene and sanitation services. I appeal to the international community, on behalf of the most vulnerable in Libya, to urgently provide resources to the underfunded Humanitarian Response Plan, so that relief can be brought to the approximately 2.44 million people identified as in need of protection and humanitarian assistance.

92. Repeated calls by my Special Representative and international humanitarian agencies for a humanitarian ceasefire have gone unheeded, particularly in Benghazi, a city that has endured terrible destruction and loss of life. There is simply no justification for this continuing denial of humanitarian access to urgently needed relief by communities living in desperate conditions.

93. Moreover, the conflict continues to be characterized by gross violations of international humanitarian and human rights law. I call on the Libyan authorities and all those with effective control on the ground to put an end to such abuses. I also encourage political leaders and military commanders to publicly declare that all such acts will no longer be tolerated and that those responsible will be held to account. In this regard, it will be important for the new Libyan government to develop the capacity of the national justice system as a matter of priority. I also urge the international community to provide the resources requested by the Prosecutor of the International Criminal Court in order to investigate war crimes and other crimes under international law in Libya.

94. Parties engaged in the conduct of ongoing hostilities are reminded that it is their responsibility to put in place all necessary measures to avoid loss of civilian lives and prevent civilian injuries and damage to civilian installations. They must immediately cease all indiscriminate attacks and direct attacks against civilians,

ensure the protection of civilian hospitals, medical facilities and personnel, and guarantee unimpeded access to humanitarian assistance for communities in need. Likewise, there can be no justification for the abduction of civilians on account of tribal, family or political affiliations. Any such persons must be released immediately and unconditionally.

95. The continuing use of torture and other ill-treatment in detention facilities is unacceptable. I strongly remind all parties concerned of their obligation to abide by their responsibilities under international humanitarian and human rights law. I also call on them to ensure that measures are put in place to grant all detainees adequate access to relatives and lawyers, as well as to ensure either that due judicial process is set in motion or that steps are taken towards their release.

96. The conflict in Libya and the continuing absence of effective State authority continue to take a heavy toll on communities in southern Libya. Endemic levels of criminality and of growing political violence, persistent levels of communal tension and competition among rival groups over resources have been fuelled by years of systematic neglect and marginalization by central authorities. The current situation has been further aggravated by weak, if not entirely absent, border controls which have allowed for the unprecedented influx of large numbers of migrants, placing a huge strain on host communities in the south already struggling to meet their own needs.

97. I note with alarm moves by the de facto authorities in Tripoli to curtail political and civil liberties, as well as the repeated denial of access on a number of occasions for my Special Representative and his team to western Libya. In this regard, I remind the leadership of the General National Congress of its responsibilities under paragraph 18 of Security Council resolution 2259 (2015) to cooperate fully with the activities of UNSMIL, including allowing it free interaction with all interlocutors, and to take all necessary measures to ensure the security of, as well as the unhindered movement and timely access for, the United Nations and associated personnel. The ability of United Nations staff and personnel to engage freely with all political and security stakeholders without threat or intimidation is key to fulfilling the mandate entrusted to UNSMIL by the Security Council.

98. The Libyan Political Agreement provides for a viable road map that brings an end to the conflict in Libya and facilitates the country's democratic transition. Much will hinge on the implementation of the Agreement, as well as on the goodwill and commitment of all parties concerned to facilitate a peaceful transfer of power. The degree to which the Government of National Accord can effectively exercise its executive authority from the Libyan capital, Tripoli, supported by other key State institutions, is crucial in determining the success of Libyan authorities in addressing other major priorities, including the situation in Benghazi and the threat posed by ISIL and other terrorist groups.

99. The prevailing political and security conditions on the ground present a number of difficulties for UNSMIL in conducting its work. I have every confidence that my Special Representative and his staff will continue to explore creative and innovative approaches to the provision of support.

100. Against this backdrop and in response to the Mission's request to start preparations for its re-establishment in Tripoli, United Nations Headquarters, led by the Department of Political Affairs, deployed a needs assessment mission to

UNSMIL from 11 to 16 January. While it is critical that UNSMIL be able to provide immediate support to the Government of National Accord once it is established in Tripoli, the needs assessment mission determined that the security situation there remains highly unstable, especially given the current absence of a central authority and consequent weak security structures. Accordingly, as an immediate measure, the mission recommended the deployment of a small substantive team, accompanied by support elements and a United Nations Guard Unit. Preparations for the implementation of these recommended measures are under way.

101. In this context, the United Nations will continue its efforts to help to implement the Libyan Political Agreement and remains ready to support and assist the Libyan authorities in accordance with the principles of national ownership. Concerted efforts to ensure full implementation of the Agreement as well as to broaden the base of support are needed. To that end, I recommend that the Security Council renew the mandate of UNSMIL for a period of three months as an integrated special political mission in the areas provided for by the Security Council in resolution 2238 (2015). This period will allow the Mission to continue to assist the Presidency Council with the process of establishing the Government of National Accord, formulate its workplan and priorities, and put in place the necessary security arrangements to facilitate its presence in Libya. The establishment of the Government of National Accord will provide a further opportunity to engage with the Libyan authorities on a comprehensive strategic vision for United Nations support in the subsequent phase of the transition process.

102. I would like to express my appreciation to the African Union, the League of Arab States and the European Union, as well as to all those Member States that have been accompanying and supporting the process. Finally, I wish to extend my sincere appreciation to the staff of UNSMIL and the United Nations system for their efforts to support the transition of Libya, and I commend my Special Representative, Martin Kobler, for his leadership and tireless efforts to continue the political process and implement the Libyan Political Agreement.

United Nations S/2016/183

Security Council

Distr.: General
26 February 2016

Original: English

Angola, Egypt, France, Japan, Malaysia, New Zealand, Senegal, Spain, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Bolivarian Republic of Venezuela: draft resolution

The Security Council,

Recalling its previous resolutions, statements of its President and press statements on the situation in Guinea-Bissau, in particular resolutions 1876 (2009), 2030 (2011), 2048 (2012), 2092 (2013), 2103 (2013), 2157 (2014), 2186 (2014) and 2203 (2015),

Taking note of the report of the Secretary-General on Guinea-Bissau, dated 12 February 2016 (S/2016/141) and the recommendations contained therein, and underscoring the Secretary-General's positive appreciation of the role of his Special Representative and head of the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS) in assisting the government of Guinea-Bissau,

Stressing the need for the Government of Guinea-Bissau to continue to take concrete steps towards peace, security and stability in the country, by effectively reforming the Security Sector, tackling corruption through the reinforcement of the judicial system, improving public administration and State revenue's management, as well as the supply of basic services to the population, and commending its commitment to the implementation of its national priorities,

Expressing concerns over the ongoing political and institutional tensions among the President, the Prime Minister, the Speaker of Parliament and heads of political parties which has prevented the country from moving forward with its national reform agenda for over six months and threaten to undermine the progress made in Guinea-Bissau since the restoration of constitutional order following the elections held in 2014,

Welcoming the continued engagement of the Special Representative of the Secretary-General Miguel Trovoada, the Senegalese President, in his capacity as the Chairman of the Economic Community of West African States (ECOWAS), the Guinean President, ECOWAS Mediator for Guinea-Bissau, the Special Envoy of the Nigerian President, and other interlocutors in the search for a peaceful solution to the impasse and recalling the need for concerted action among the United Nations, ECOWAS, the African Union, the Community of Portuguese-Speaking Countries, and the European Union,

Please recycle

Emphasizing the need for respect of democratic principles and stressing the importance of national reconciliation, inclusive dialogue and good governance, essential for the attainment of lasting peace in Guinea-Bissau, further stressing the importance of including all Bissau-Guineans in this process at national and local levels, while upholding the principles of separation of powers, rule of law, justice and combating impunity, and encouraging all stakeholders to engage in the process,

Stressing that the consolidation of peace and stability in Guinea-Bissau can only result from a consensual, inclusive and nationally owned process, respect for constitutional order, priority reforms in the defence, security and justice sectors, the promotion of the rule of law, the protection of human rights, the promotion of socioeconomic development and the fight against impunity and drug trafficking,

Reaffirming the importance of the continued non-interference of the defence and security forces in the political situation in Guinea-Bissau, and commending the restraint shown in this regard as well as the peacefulness of the people of Guinea-Bissau,

Underscoring the importance of the Government of Guinea-Bissau, with the support of UNIOGBIS and international partners, to continue developing national security and rule of law institutions that are transparent, accountable and professional,

Stressing that all stakeholders in Guinea-Bissau should work to ensure short, medium and long-term stability through clear commitment and genuine inclusive political dialogue aimed at creating conditions conducive to finding viable and sustainable solutions to the country's social, economic, political and military problems, which would facilitate the implementation of key reforms and the strengthening of State institutions,

Noting efforts of the government to gain effective civilian control and oversight over the defence and security forces, as failure to do so could adversely affect the effective functioning of State institutions, as a result of collusion between some political actors and the military leadership,

Commending the efforts of the Economic Community of West African States (ECOWAS) in helping to sustain peace, security and development and to support the security sector reform (SSR) process in Guinea-Bissau namely through the activities of its Mission (ECOMIB),

Welcoming the continued contribution of ECOMIB in ensuring an environment that enables the implementation of critical reforms in the defence and security sector and encouraging the international community to support the continuation of such efforts,

Taking note with concern of the financial difficulties faced by ECOMIB in continuing to implement its mandate,

Reiterating its call on the Government of Guinea-Bissau to conduct transparent, independent and credible investigations into all alleged human rights violations and abuses, in accordance with international standards, and to hold those responsible accountable for their actions,

Reiterating its concern at the threat posed by drug trafficking and related transnational organized crime to peace and stability; and, in this regard, welcoming

the efforts of the Government of Guinea-Bissau, ECOWAS, UNIOGBIS, the United Nations Office on Drugs and Crime (UNODC) and other relevant stakeholders in combating this issue,

Re-emphasizing the need to tackle the problem of drug trafficking in the countries of origin, transit and final destination on a basis of a common and shared responsibility, to tackle the world drug problem and related criminal activities; and, in this regard, stressing the need for increased coherence, coordination and efficiency among relevant partners to enhance their collective efforts, in particular through sharing of information, underlining that any lasting solution to instability in Guinea-Bissau should include concrete actions to fight impunity and ensure that those responsible for politically motivated assassinations and other serious crimes such as breaches of constitutional order and drug trafficking-related activities are brought to justice, including through national judicial mechanisms,

Reiterating the importance and urgency of the continued evaluation capacity and support provided by the relevant United Nations (UN) entities and international, regional, subregional and bilateral partners for the long-term security and development of Guinea-Bissau, particularly towards the implementation of security and justice sectors reforms, the fight against transnational organized crime as well as the creation of an enabling environment for good governance and inclusive and sustainable social development, and in this regard, commending the important work of the United Nations Office on Drugs and Crime (UNODC) in collaboration with relevant UN entities in Guinea-Bissau and the subregion, and encouraging enhanced cooperation between UNODC and UNIOGBIS,

Emphasizing the role of UNICEF working closely with government to create the proper conditions to provide education for the children of Guinea-Bissau,

Emphasizing the important role of women in prevention and resolution of conflicts and in peacebuilding, as recognized in resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013), and 2242 (2015),

Welcoming the cooperation between UNIOGBIS, national authorities and civil society organizations to increase women's participation in Guinea-Bissau and underlining that a gender perspective must continue to inform the implementation of all relevant aspects of the mandate of UNIOGBIS,

Reaffirming that Guinea-Bissau's partners should continue to actively and closely coordinate their actions in support of the Government's efforts to address the country's political, security and development challenges, and in this regard, welcoming the coordinated support provided by the country's partners, namely those in the UN system, the African Union, the Economic Community of West African States, the Community of Portuguese-Speaking Countries (CPLP), the European Union (EU), the World Bank, and the African Development Bank, to the Government during the International Donor Conference for Guinea-Bissau held on 25 March 2015 in Brussels,

Taking note of the final Communiqué of the Forty-eighth Ordinary Session of the ECOWAS Heads of State and Government, held in Abuja, Nigeria, from 16 to 17 December 2015 underscoring the need for dialogue to consolidate peace and democracy in Guinea-Bissau,

Taking note of the statement made by the Chair of the Guinea-Bissau Configuration of the Peacebuilding Commission (PBC) on 15 February 2016 and welcoming the continued engagement of the PBC with Guinea-Bissau,

Welcoming the successful efforts to prevent the spread of the Ebola Virus Disease and emphasizing the need for ongoing preparedness efforts to build domestic capacity and health surveillance and response systems, and domestic resilience system,

Reaffirming its full commitment to the consolidation of peace and stability in Guinea-Bissau,

1. *Decides* to extend the mandate of UNIOGBIS for a period of 12 months beginning on 1 March 2016 until 28 February 2017;

2. *Expresses* its strong support for the key role of the Special Representative of the Secretary-General for Guinea-Bissau, and requests UNIOGBIS, including through the use of the good offices and political support of the Special Representative, to focus, in particular, on the following priorities:

(a) *Support* an inclusive political dialogue and national reconciliation process to strengthen democratic governance and work towards consensus on key political issues particularly with regards to the implementation of necessary urgent reforms;

(b) *Provide* strategic and technical advice and support to national authorities and relevant stakeholders, including in coordination with ECOWAS/ECOMIB and other international partners, in implementing the national security sector reform and rule of law strategies, as well as developing civilian and military justice systems that are compliant with international standards;

(c) *Support* the Government of Guinea-Bissau towards the mobilization, harmonization and coordination of international assistance, including for the implementation of the national security sector reform and rule of law strategies, and enhancing cooperation with the AU, ECOWAS, CPLP, EU and other partners in support of the maintenance of constitutional order and the stabilization of Guinea-Bissau;

3. *Also affirms* that UNIOGBIS and the Special Representative will continue to lead international efforts in the following priority areas:

(a) Provide support to the Government of Guinea-Bissau in strengthening democratic institutions and enhancing the capacity of state organs to function effectively and constitutionally;

(b) Provide strategic and technical advice and support for the establishment of effective and efficient law enforcement and criminal justice and penitentiary systems, capable of maintaining public security and combating impunity, while respecting human rights and fundamental freedoms;

(c) Assist national authorities in the promotion and protection of human rights as well as undertake human rights monitoring and reporting activities;

(d) Provide strategic and technical advice and support to the Government of Guinea-Bissau to combat drug trafficking and transnational organized crime, in close cooperation with UNODC;

(e) Provide support to the Government of Guinea-Bissau to incorporate a gender perspective into peacebuilding, in line with Security Council resolutions 1325 (2000), 1820 (2008) and 2242 (2015); as well as implementation of the National Action Plan on Gender in order to ensure the involvement, representation and participation of women at all levels through inter alia the provision of gender advisers;

(f) Work with the Peacebuilding Commission in support of Guinea-Bissau's peacebuilding priorities;

4. *Calls upon* Bissau-Guinean leaders, including the President, the Prime Minister, the Speaker of Parliament and heads of political parties to abide by their commitment to bring political stability to Guinea-Bissau in the interests of the People of Guinea-Bissau;

5. *Calls upon* the authorities of Guinea-Bissau and all stakeholders, including the military, political parties, and civil society to work together to consolidate progress made so far, and to address the root causes of instability with particular attention to political-military dynamics, ineffective state institutions and rule of law, impunity and human rights violations and abuses, poverty and lack of access to basic services;

6. *Underscores* the need for dialogue to consolidate peace and stability in Guinea-Bissau and calls upon the national authorities to expedite the review of Guinea-Bissau's Constitution;

7. *Reiterates* its demand to the security and defence services to submit themselves fully to civilian control;

8. *Commends* the important efforts of ECOWAS and encourages ECOWAS to continue extending its political support to the authorities and political leaders of Guinea-Bissau through the use of good offices and mediation;

9. *Encourages* ECOWAS and CPLP to take the necessary steps towards organizing a meeting of the International Contact Group on Guinea-Bissau, in consultation with the UN, EU, and all stakeholders;

10. *Takes note* of the evolving human rights situation in the country and urges the authorities of Guinea-Bissau to take all necessary measures to protect human rights, put an end to impunity, initiate investigations to identify the perpetrators of human rights violations and abuses, including those against women and children; and bring them to justice and take action to protect witnesses in order to ensure due process;

11. *Welcomes* the joint efforts by international partners, in particular the UN, AU, ECOWAS, EU and CPLP, to enhance cooperation in support of the government in Guinea-Bissau and encourages them to continue to work together towards the country's stabilization in accordance with the priority structural reforms established by the government, and in this regard, recognizes the role of the Peacebuilding Commission in enhancing these efforts with a view for supporting the long-term peacebuilding priorities of Guinea-Bissau;

12. *Recognizes* the ongoing implementation of some defence and security sector reforms and encourages the continuation of further efforts as a crucial element for long-term stability in Guinea-Bissau and further encourages coordinated

action by all relevant subregional, regional and international partners of Guinea-Bissau in this field in order to obtain expeditious and positive results;

13. *Commends the crucial role* of ECOMIB in securing the state institutions and in supporting SSR, supports its continuation, in accordance with the expressed will of the authorities of Guinea-Bissau and urges bilateral, regional and international partners to consider providing financial assistance to support ECOWAS in sustaining the deployment of ECOMIB, as requested by the Forty-eighth Ordinary Summit of Heads of State of ECOWAS;

14. *Calls upon* the authorities of Guinea-Bissau to continue to actively reform and strengthen the judicial system, while ensuring the separation of powers and access to justice for all citizens;

15. *Reiterates its call upon* the authorities of Guinea-Bissau to implement and review national legislations and mechanisms to more effectively combat transnational organized crime, including drug trafficking and money-laundering, which threaten security and stability in Guinea-Bissau and in the subregion, and in this context, to provide additional support to the Transnational Crime Unit (TCU) established under the West Africa Coast Initiative (WACI) and the Intergovernmental Action Group against Money Laundering in West Africa (GIABA); encourages international bilateral and multilateral partners to increase their support to these institutions and further encourages these partners to contribute to support the presence of UNODC in Guinea-Bissau and to the UNIOGBIS Trust Fund for immediate, medium and longer-term priorities; calls upon the international community to enhance cooperation with Guinea-Bissau to enable it to ensure control of air traffic and surveillance of maritime security within its jurisdiction, in particular to fight drug trafficking and transnational organized crime, as well as illegal fishing in Guinea-Bissau's territorial waters and exclusive economic zone and other cases of illegal exploitation of natural resources; and urges the authorities of Guinea-Bissau to demonstrate full commitment to combating drug trafficking;

16. *Stresses* the importance of combating drug trafficking to achieve political and economic stability in Guinea-Bissau, requests the Secretary-General to ensure the relevant capacity within UNIOGBIS, continuing to provide an anti-drug component, including appropriate expertise and to include within the report of the Secretary-General an assessment of progress made in combating drug trafficking, and further requests the Special Representative of the Secretary-General to increase efforts to achieve greater coherence, coordination and efficiency among relevant UN agencies, funds and programmes in the country to maximize their collective effectiveness, in particular through provision by these agencies, funds and programmes of relevant information to the Special Representative on individuals, groups, undertakings and entities associated with drug trafficking that contribute to creating a threat to the peace, stability and security of Guinea-Bissau and the subregion;

17. *Commends* the good offices role of the Special Representative of the Secretary-General to support the Government of Guinea-Bissau, and invites the Secretary-General to reinforce UNIOGBIS' capacities in this regard and to continue strengthening the coordination for international support;

18. *Urges* Bissau-Guinean national stakeholders to demonstrate the necessary commitment to re-establish momentum for progress in key areas, as

outlined in the programme "Terra Ranka" presented to the donor community at the Brussels round table held in March 2015, invites Guinea-Bissau's partners to fulfil the pledges they made at that round table and also encourages UNIOGBIS to assist in the coordination of international assistance to the Government of Guinea-Bissau in its fight against poverty;

19. *Requests* the Secretary-General to submit to the Council regular reports every six months on the implementation of this resolution and submit a report within six months to the Committee established pursuant to its resolution 2048 (2012) on the progress made with regards to the stabilization of the country and restoration of constitutional order and recommendations on the continuation of the sanctions regime in the post-election environment, in line with paragraph 12 of resolution 2048 (2012);

20. *Decides* to review the sanctions measures established pursuant to resolution 2048 (2012) seven months from the adoption of this resolution;

21. *Decides* to remain actively seized of the matter.

United Nations S/2016/184

Security Council

Distr.: General
26 February 2016

Original: English

Letter dated 24 February 2016 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

With reference to the meeting of the Security Council held on 18 February 2016, in which the report of the Somalia and Eritrea Monitoring Group was presented to the Security Council by the Chair of the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009), and in the light of the unwarranted comments made by some members, I wish to register Eritrea's deep concern regarding the unjust sanctions imposed on the people of Eritrea. At the outset, Eritrea welcomes the call made by several members of the Security Council to lift the unjust and unfair sanctions.

My delegation seizes this opportunity to reiterate that the sanctions imposed on the people of Eritrea for the last seven years, railroaded by certain major powers, are politically motivated to achieve the following objectives:

(a) Diverting attention from Ethiopia's occupation of sovereign Eritrean territory, including the town of Badme;

(b) Weakening Eritrean economic and military capabilities; and

(c) Advancing a regime change agenda.

It is worth recalling that the sanctions against Eritrea were justified under two pretexts, "support to al-Shabaab in Somalia" and a "border dispute with Djibouti", invoking concern for regional and international peace and security. These two justifications have long been proven to be non-existent. The Monitoring Group in its reports has stated that it has found no evidence of Eritrean support to al-Shabaab. Eritrea welcomes the Monitoring Group's acknowledgement, even if belated. Moreover, the Presidents of Djibouti and Eritrea signed an agreement on 6 June 2010, entrusting the Government of Qatar to undertake mediation efforts. This seven-point comprehensive agreement, which was also endorsed by the Security Council and the African Union, deals with all issues, including prisoners of war and missing persons. The Qatari army is already deployed in the Eritrea-Djibouti common boarder. Eritrea is fully committed to the Qatari mediation process.

These two facts must be sufficient to rescind the unfair and unjust sanctions imposed on the people of Eritrea for the past seven years. Furthermore, at a time when there is a strong global commitment for an all-inclusive 2030 Sustainable Development Agenda, maintaining sanctions against Eritrea, a developing country, is unwarranted: as stated in the Agenda, no one should be "left behind".

Please recycle

However, resorting to a creative and selective interpretation of its mandate, as well as in an attempt to stretch the scope of the sanctions resolution, the Monitoring Group reported that Eritrea is supporting armed groups in Ethiopia. This persistent and unwarranted effort by the Monitoring Group to report about the conflict between Eritrea and Ethiopia contravenes the Security Council resolutions; hence, it must be dismissed as illicit, inappropriate and counterproductive. The Eritrea-Ethiopia conflict is not within the purview of the Monitoring Group's mandate. It was not a factor when the sanctions were imposed on Eritrea.

The Eritrea-Ethiopia conflict is an issue of the occupied and the occupier. It must be handled by the Security Council under a different agenda item. The Council must demand and compel Ethiopia to fulfil its treaty obligations and various Security Council resolutions, as well as respect the Charter of the United Nations by withdrawing from sovereign Eritrean territories, including the town of Badme.

Furthermore, Ethiopian leaders and officials publicly admit that they are hosting, financing, arming and training several subversive Eritrean groups that intermittently unleash terrorist forays against the people of Eritrea:

- On 7 July 2015, the Prime Minister of Ethiopia speaking to his Parliament said that "Ethiopia will be forced to take appropriate action against Eritrea".
- On 9 August 2014, during an interview with the Washington D.C. based Radio Tsenat, the Prime Minister of Ethiopia clearly stated that "the no-war no-peace situation with Eritrea is over. Ethiopia from now on is ready to take military action against Eritrea".
- On 17 April 2012, speaking to the Ethiopian Parliament the late Prime Minister Meles Zenawi stated that "the Ethiopian Government has now decided to carry out a more active policy, taking actions against Eritrea. The action will involve using all means at Ethiopia's disposal to change the Eritrean Government. The other major area where Ethiopia will further strengthen its activity is in supporting Eritreans in their campaign to change the Government".

The Monitoring Group is well aware that the above belligerent statements by Ethiopian officials constitute an act of aggression against Eritrea that cannot be downplayed or glossed over.

The fact is, Ethiopia continues to occupy sovereign Eritrean territories in flagrant violation of international law, the Charter of the United Nations and the "final and binding" delimitation and demarcation decisions of the Eritrea-Ethiopia Boundary Commission. It must also be underlined that Ethiopia's continued breach of international law and the provisions of the Agreement between the Government of the State of Eritrea and the Government of the Federal Democratic Republic of Ethiopia (the Algiers Agreement), guaranteed by the United Nations and the African Union, require appropriate punitive measures by the Security Council. In accordance with the Charter and international law, Eritrea has every right to reject occupation and to defend itself against any occupier. Therefore, the Monitoring Group's focus on alleged acts by Eritrea against Ethiopia is morally unconscionable and legally incompatible with its mandate.

The report of the Monitoring Group stated that the Group had received unconfirmed reports of the presence of Eritrean soldiers in Yemen fighting alongside the Arab coalition. This allegation is patently false.

But here again, the Monitoring Group's proclivity to dwell on malicious and fabricated hearsay to maintain the harassment of Eritrea is crystal clear. Who are the sources and what is the underlying motive? Is this a continuation of presenting fabricated allegations against Eritrea by the Group? The Group in its 2006 report stated that Eritrea had sent 2,000 soldiers to Somalia. In spite of unequivocal evidence that there were no Eritrean soldiers in Somalia, this fabricated report has never been retracted by the Group. So, is this another replay of the 2006 episode of inserting fabricated accusations to serve a specific purpose? And in any case, what is the motive and hurry to include an unconfirmed allegation in the report? Why does the Monitoring Group insert in its report innuendos and attempts to insinuate a "potential" violation? This is a deliberate disinformation campaign.

Just for the record, nowhere in the Security Council resolution is Eritrea restricted or sanctioned from participating or joining any initiative, alliance or coalition in the fight against global extremism and terrorism. Eritrea, as a country with 1,200 km of coastline and more than 350 islands, with a 50 per cent Christian and 50 per cent Muslim population, has a long and close maritime border with Yemen. The situation in the Red Sea and the Horn of Africa, including in Yemen, impacts and affects Eritrea. The unfortunate developments in Yemen are compounded by the spread of extremism and terrorism in the Horn of Africa and the Red Sea region. In this regard, the importance of sustained engagement between countries in the region is indeed too palpable to merit emphasis. At a time when combating global extremism and terrorism is at the top of the global agenda that is endorsed by all Member States of the United Nations, Eritrea's cooperation with the countries of the region must be commended and not restricted.

Other coordinated and distorted information that is peddled by some quarters is Eritrea's "refusal" to allow the Monitoring Group to visit the country and to cooperate. These are lame excuses and pretexts that are advanced to maintain the unjust sanctions against the people of Eritrea. Just for the record, the Monitoring Group has visited Eritrea twice and was given all types of access to various government officials, financial institutions and civil society organizations, etc. In those meetings, the Group was provided with information and explanations on its queries. However, instead of reflecting its interactions and reporting on matters that are within its mandate, in violation of the Charter and the Security Council resolution, which clearly reaffirms its respect for the sovereignty, territorial integrity and political independence and unity of Eritrea, resorting to its demonizing and disinformation campaign, the Group chose to dwell on Eritrea's internal political, social and economic situation. Eritrea's military and security capabilities and secrets supported by satellite pictures were presented for anyone to use or read.

On the issue of cooperation, Eritrea has fully cooperated with the Monitoring Group and has also faithfully responded orally and in writing to all its queries. In the past three years alone, 15 formal and informal meetings, including interaction through three videoconferences, have taken place between Eritrean Government officials and the Monitoring Group. Therefore, statements by some quarters such as that Eritrea must fully cooperate with the Monitoring Group are, once again, factually wrong and a pretext to continue the unjust sanctions.

In conclusion, my delegation reiterates its appeal to the members of the Security Council to immediately and unconditionally lift the unjust and unfair sanctions imposed on the people of Eritrea, in consideration of the following:

(a) The justification concerning Eritrean support to al-Shabaab has been proven to be non-existent as the Monitoring Group has ascertained that it has found no evidence of Eritrean support to al-Shabaab;

(b) The Eritrea-Djibouti issue is being handled by the Government of Qatar and Eritrea remains committed to mediation;

(c) Eritrea has in good faith fully cooperated with the Monitoring Group and has allowed it to visit Eritrea twice;

(d) The growing threats of terrorism and extremism in the Horn of Africa and the Red Sea region, in particular the developments in Yemen, and the implications for Eritrea's security.

Furthermore, in the interests of peace, security and development in the Horn of Africa and the Red Sea region, Eritrea calls on the Security Council to shoulder its responsibility by demanding that Ethiopia withdraw from sovereign Eritrean territories, including the town of Badme.

I would be most grateful if this letter could be brought to the attention of the members of the Council and be circulated as a document of the Council.

(*Signed*) Girma Asmerom **Tesfay**
Ambassador
Permanent Representative

United Nations S/2016/185

Security Council

Distr.: General
26 February 2016

Original: English

Russian Federation and United States of America: draft resolution

The Security Council,

Recalling its resolutions 2042 (2012), 2043 (2012), 2118 (2013), 2139 (2014), 2165 (2014), 2170 (2014), 2175 (2014), 2178 (2014), 2191 (2014), 2199 (2015), 2235 (2015), 2249 (2015), 2253 (2015), 2254 (2015), and 2258 (2015) and Presidential Statements of 3 August 2011 (S/PRST/2011/16), 21 March 2012 (S/PRST/2012/6), 5 April 2012 (S/PRST/2012/10), 2 October 2013 (S/PRST/2013/15), 24 April 2015 (S/PRST/2015/10) and 17 August 2015 (S/PRST/2015/15),

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic, and to the purposes and principles of the Charter of the United Nations,

Recognizing the efforts of the Secretary-General in implementing resolution 2254 (2015) and noting, through his good offices and by his Special Envoy for Syria, the launch of the formal negotiations on a political transition process, consistent with paragraph 2 of resolution 2254 (2015), on 29 January 2016,

Commending the commitment of the International Syria Support Group (ISSG) to ensure a Syrian-led and Syrian-owned political transition based on the Geneva Communiqué of 30 June 2012 in its entirety and to immediately facilitate the full implementation of resolution 2254 (2015), and emphasizing the urgency for all parties in Syria to work diligently and constructively towards this goal,

Welcoming the ISSG statement of 11 February 2016, including the establishment of an ISSG humanitarian task force and an ISSG ceasefire task force,

1. *Endorses* in full the Joint Statement of the United States and the Russian Federation, as Co-Chairs of the ISSG, on Cessation of Hostilities in Syria of 22 February 2016 and the Terms for the Cessation of Hostilities in Syria (hereafter referred to as "the Annex") attached to the Statement, and demands the cessation of hostilities to begin at 00:00 (Damascus time) on 27 February 2016;

2. *Demands* the full and immediate implementation of resolution 2254 (2015) to facilitate a Syrian-led and Syrian-owned political transition, in accordance with the Geneva Communiqué as set forth in the ISSG Statements, in order to end the conflict in Syria, and stresses again that the Syrian people will decide the future of Syria;

3. *Demands* that all parties to whom the cessation of hostilities applies as set forth in the Annex (hereafter referred to as the "parties to the cessation of hostilities") fulfil their commitments laid out in the Annex, and urges all Member States, especially ISSG members, to use their influence with the parties to the

Please recycle

cessation of hostilities to ensure fulfillment of those commitments and to support efforts to create conditions for a durable and lasting ceasefire;

4. *Recognizes* the efforts of the Russian Federation and the United States to reach understanding on the Terms of the Cessation of Hostilities, and *acknowledges and welcomes* that the forces of the Syrian government and those supporting it, as communicated to the Russian Federation, and the Syrian armed opposition groups, as communicated to the Russian Federation or the United States, have accepted and committed to abide by the Terms of the Cessation of Hostilities, and as such are now parties to it;

5. *Reiterates* its call on the parties to immediately allow humanitarian agencies rapid, safe and unhindered access throughout Syria by most direct routes, allow immediate, humanitarian assistance to reach all people in need, in particular in all besieged and hard-to-reach areas, and immediately comply with their obligations under international law, including international humanitarian law and international human rights law as applicable;

6. *Expresses support* for the ISSG initiative, coordinated through the ISSG humanitarian working group, to accelerate the urgent delivery of humanitarian aid, with the view towards the full, sustained, and unimpeded access throughout the country, including to Deir ez Zor, Foah, Kafraya, Az-Zabadani, Madaya/Bqin, Darayya, Madamiyet Elsham, Duma, East Harasta, Arbin, Zamalka, Kafr Batna, Ein Terma, Hammuria, Jisrein, Saqba, Zabadin, Yarmuk, eastern and western rural Aleppo, Azaz, Afrin, At Tall, Rastan, Talbiseh, Al Houle, Tier Malah/Al Gantho/Der Kabira, Al Waer, Yalda, Babila and Beit Saham;

7. *Reaffirms* its support for a Syrian-led political process facilitated by the United Nations, requests the Secretary-General, through his good offices and the efforts of his Special Envoy for Syria, to resume the formal negotiations between the representatives of the Syrian government and the opposition, under the auspices of the United Nations, as soon as possible, and urges the representatives of the Syrian government and the Syrian opposition to engage in good faith in these negotiations;

8. *Welcomes* the cessation of hostilities as a step towards a lasting ceasefire and reaffirms the close linkage between a ceasefire and a parallel political process, pursuant to the 2012 Geneva Communique, and that both initiatives should move ahead expeditiously as expressed in resolution 2254 (2015);

9. *Calls* on all states to use their influence with the government of Syria and the Syrian opposition to advance the peace process, confidence building measures, including the early release of any arbitrarily detained persons, particularly women and children, and implementation of the cessation of hostilities;

10. *Requests* the Secretary-General to report to the Council on the implementation of this resolution, including by drawing on information provided by the ISSG ceasefire taskforce, and on resolution 2254 (2015), within 15 days of the adoption of this resolution and every 30 days thereafter;

11. *Decides* to remain actively seized of the matter.

United Nations S/2016/186

Security Council

Distr.: General
26 February 2016

Original: English

Letter dated 25 February 2016 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you a letter from Najib Ghadbian, Special Representative of the National Coalition of Syrian Revolutionary and Opposition Forces to the United Nations, dated 25 February 2016 (see annex).

I would be grateful if you could circulate the present letter and its annex as a document of the Security Council.

(*Signed*) Abdallah **Al-Mouallimi**
Permanent Representative

16-03126 (E) 020316

Please recycle

Annex to the letter dated 25 February 2016 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the President of the Security Council

On behalf of the High Negotiations Committee for the National Coalition of Syrian Revolutionary and Opposition Forces and as requested by Riad Hijab, Head of the Committee, it is my honour to transmit to you the Committee's most recent memorandum of 24 February 2016 (see enclosure). The memorandum discusses the joint declaration by the United States of America and the Russian Federation regarding a cessation of hostilities ("temporary ceasefire").

(*Signed*) Najib **Ghadbian**
Special Representative to the United Nations

Enclosure

High Negotiations Committee for the National Coalition of Syrian Revolutionary and Opposition Forces

Memorandum on the joint declaration by the United States of America and the Russian Federation regarding a cessation of hostilities ("temporary ceasefire")

The High Negotiations Committee affirms its earnest and sincere desire to work towards a political solution that achieves a political transition in Syria, starting with the creation of a transitional governing body with full executive powers that excludes Bashar al-Assad and his clique, as stipulated in the Geneva communiqué of 2012, Security Council resolutions 2118 (2013) and 2254 (2015) and all other resolutions to that effect.

The Committee further affirms its full rejection of terrorism and extremism in all shapes and forms, including the practices of "Daesh", Al-Qaeda, Hezbollah, the sectarian terrorist militias that have entered Syria from Iraq, Lebanon, Iran, and Afghanistan, the "Quds force" militia of the Iranian Revolutionary Guards and all similar militias. We call upon the international community to carry out its legal responsibilities to protect the Syrian people from war criminals and war crimes, as stipulated in the Charter of the United Nations and in the Geneva Conventions and Protocols, and to carry out all its other legal obligations under international humanitarian and human rights law.

The Committee has carefully reviewed the joint declaration released by the United States of America and the Russian Federation regarding a cessation of hostilities ("temporary ceasefire"). We value and view positively all efforts to stop the killing, especially in the light of the ongoing bombardment of civilian areas, the manifold crimes being perpetrated by regime forces and their associated sectarian militias and the continued indiscriminate targeting of civilians by Russian forces.

The Committee believes that a temporary two-week cessation of hostilities is an important opportunity to test how serious our adversaries are about complying with the agreed-upon terms. As such, the Committee has put forth a set of observations that will gauge if the cessation of hostilities will be successful. Serious and effective efforts are necessary to protect Syrian civilians, and such efforts would foster conditions conducive to the initiation of a political process meeting Syrians' aspirations for freedom, as stipulated in the Geneva communiqué. The Committee sees it as imperative that the following observations are addressed before any cessation of hostilities is enacted to ensure the participation of all sides and to increase the chances for implementation on the ground:

1. Given that Russia is a principal party to the conflict, the Committee finds it surprising that the Russian Federation is identified as a partner to the United States in ensuring the implementation of the cessation of hostilities, verifying adherence to the terms of the declaration and enforcing compliance. It would be more proper for a committee comprised of the "Friends of Syria" countries to carry out such tasks and to ensure that Russia enters into the cessation of hostilities by pledging to stop its military and paramilitary operations on Syrian soil.

2. The declaration has also ignored the role of Russia and Iran in combat operations and in perpetrating violations against the Syrian people, such as the shelling of populated areas, the use of starvation of civilians as a weapon of war and perpetrating forced displacements. For the cessation of hostilities to be effective and conducive to implementation, the declaration must stipulate an end to all combat operations by foreign Powers, specifically those Powers (Iran and Russia) that target the Syrian opposition directly. Those Powers must be obliged by the cessation of hostilities to cease their combat operations, as they are the principal parties to hostilities fighting on behalf of the regime.

3. The declaration legitimizes Russian operations in Syria by authorizing the Russian Federation to target "terrorist organizations," in the phrasing of the United Nations. Regime forces are granted the same status because they, too, are permitted to continue their operations against the aforementioned groups. Considering that both the regime and Russia have insisted on referring to all opposition forces as terrorist groups, the regime and Russia are left free to interpret the United Nations terrorism "classification" in the same misleading manner that they always have in order to target the opposition. Through this loophole, the regime and Russia will also be able to continue their criminal collaboration on aerial bombardments that have killed thousands of civilians and destroyed schools, hospitals and other civilian targets. All such operations are outside the framework of the cessation of hostilities;

4. The declaration does not grant opposition forces the advantages that are provided to the regime, which is described as a "legitimate force" permitted to continue military operations. The declaration ignores the opposition's need to defend itself from attacks by terrorist groups that target it more than the regime. It is preferable to forbid the regime from carrying out any combat operations in the light of its track record of perpetrating war crimes.

5. The second provision of paragraph 1 of the declaration's annex stipulates that the fighting groups should pledge to refrain from fighting the regime army or any force allied to it. This is a dangerous provision, since it grants Iran-affiliated terrorist groups the legitimacy that they lack and does not give the opposition the right to defend itself from these terrorist militias, which have been unlawfully present on Syrian soil and should not be granted legitimacy or guarantees in the text of a declaration with the force of law.

6. As a result of the above flaws, the mechanism through which the sectarian militias and mercenary groups tied to Iran more than the regime are to announce their adherence to the cessation of hostilities is not specified. It is essential that this announcement be made on time and in a clear fashion in order for the aforementioned groups to confirm their adherence to the cessation of hostilities.

7. The declaration does not include a clear demarcation of the territories excluded from the cessation of hostilities because they are controlled by organizations classified as terrorist, according to Security Council resolutions. Instead, the matter is left to be defined by the United States and the Russian Federation, which is considered a supervisory Power of the cessation of hostilities, despite being the main party carrying out combat operations. The excluded territories should be clearly demarcated before any cessation of hostilities goes into effect in order to ensure that Russian, Iranian and regime forces obey the declaration's provisions and cease bombarding civilian areas under the guise of

targeting "terrorist groups", as Russia has done since the start of its combat campaign.

8. The declaration offers no indication of any requirement to adhere to the principles of international humanitarian law regarding the protection of civilians, in particular the Geneva Conventions and the two additional Protocols. These principles apply even in the course of a war against terrorist organizations. It is vital to actualize the principle of distinction between civilians and combatants by declaring that any targeting of civilians will be considered a violation of the cessation of hostilities.

9. The Committee views provisions of paragraphs 1 and 2 in the declaration's annex as a clear requirement to immediately and unconditionally implement the provisions contained in paragraphs 12, 13 and 14 of Security Council resolution 2254 (2015). The Committee considers the non-implementation of these paragraphs at the start of the cessation of hostilities to be a failure to abide by the declaration.

10. There must be a clearly defined time frame for the passage or conclusion of the temporary cessation of hostilities. The Committee believes that the specification of a two-week, renewable time frame should be dependent on the success of the cessation of hostilities, the implementation of the provisions contained in paragraphs 12, 13 and 14 of Security Council resolution 2254 (2015) and forward movement in the political process.

11. A clear mechanism should be created and operationalized to enforce compliance and guarantee that Russia, Iran, regime forces and regime-allied militias do not violate the declaration.

12. A clear, trustworthy and neutral mechanism should be created and operationalized to delineate steps for observing and investigating whether all parties implement the provisions and requirements of the declaration.

13. An impartial, credible and trusted actor must be present to identify those responsible for violations of the declaration's provisions.

14. A clear mechanism must be created and operationalized to report violations by parties to the cessation of hostilities, along with a required time frame for addressing these violations.

15. The declaration did not define consequences should the regime, its allied militias, Russian forces or Iranian forces violate their stipulated obligations as parties to the cessation of hostilities. On the other hand, such consequences are implied for opposition forces, since the declaration notes that violations will result in a loss of protection for the offending party. This means that the offending party will be excluded from the ceasefire proceedings, allowing that party to be targeted by Russian or regime forces under that pretence. There is no actor able to carry out similar operations if the regime or its allied militias commit a violation.

16. The locations of the respective forces and of mediators must be specified before the cessation of hostilities takes effect, but the declaration only uses the phrase "refrain from ... seeking to acquire territory". This phrase is meaningless on the level of legal obligations. The cessation of hostilities must include a clear requirement, beginning on the day the cessation of hostilities comes into effect, that

forbids the regime from mobilizing its forces or upgrading its firepower in areas under its control.

17. The declaration does not contain any provision preventing Russian forces, regime forces and regime-allied militias from exploiting the premise of "fighting Daesh and Al-Qaeda" to strike the opposition forces.

18. Finally, the Committee affirms that, in order to guarantee the success of the cessation of hostilities, the obligations imposed under it must be equal, total and incumbent upon all sides, and that it must be implemented in a clear, well-defined fashion through operating mechanisms that cannot be questioned later.

The Committee further affirms that the rights of the Syrian people to defend themselves, in a legitimate fashion and in line with the provisions of the Charter of the United Nations, must be respected, along with the rights of the opposition to fight all terrorist organizations. This should be explicitly specified in a provision that clearly guarantees that Russian, regime and allied air forces will not target the opposition, either for defending itself or for fighting terrorist organizations.

The Committee will remain in contact with its brothers and friends to better achieve conditions that will spare Syrians further killing and destruction and that will fulfil Syrian aspirations to build a pluralistic, patriotic administration without Assad, his clique and all who have their hands drenched with the blood of the Syrian people.

United Nations A/70/762–S/2016/187

General Assembly
Security Council

Distr.: General
26 February 2016

Original: English

General Assembly
Seventieth session
Agenda items 35, 40, 68, 70, 72, 85 and 86

Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Promotion and protection of the rights of children

Elimination of racism, racial discrimination, xenophobia and related intolerance

Promotion and protection of human rights

The rule of law at the national and international levels

The scope and application of the principle of universal jurisdiction

Security Council
Seventy-first year

Letter dated 25 February 2016 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

Friday, 26 February 2016, is the twenty-fourth anniversary of the Khojaly massacre committed by the Armenian forces during Armenia's aggression against Azerbaijan.

On the night of 25 to 26 February 1992, the town of Khojaly, situated in the Nagorno-Karabakh region of the Republic of Azerbaijan, was brutally seized. The attack on and capture of the town involved the extermination of hundreds of Azerbaijanis, including women, children and the elderly. Thousands of civilians were maimed and taken hostage; many of them remain missing. The town was razed to the ground. The level of brutality in Khojaly was shocking. Atrocities included scalping, beheading, the bayoneting of pregnant women and the mutilation of bodies. The facts confirmed that the intentional slaughter of the civilians in Khojaly was directed at their mass extermination only because they were Azerbaijanis.

Apart from considerable information emanating from the law enforcement agencies of Azerbaijan, the responsibility of Armenia, including that of its political and military leadership and subordinate local armed groups, for the crimes

Please recycle

committed in Khojaly has been exhaustively reported, recognized and documented by numerous mass media organizations, human rights groups, independent sources and eyewitnesses to the tragedy. Detailed information is contained in document A/67/753-S/2013/106.

Despite all this, Armenia continues to deny having committed atrocities in Khojaly. That denial is evident and has taken many forms, including through State policy designed to legitimate and/or justify war crimes, as well as to shift the blame on others. And, therefore, those responsible for this crime still enjoy impunity.

For 24 years now, victims' needs for justice, truth and reparation have been ignored, and their loss and sufferings have been abused.

The Government of Armenia should put an end to its policy of denial, come to terms with its modern history and recognize its responsibility for the Khojaly massacre.

The people of Azerbaijan have been striving for justice for 24 years. Azerbaijan's legitimate pursuit of justice will continue until it prevails.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 35, 40, 68, 70, 72, 85 and 86, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative

United Nations S/2016/188

Security Council

Distr.: General
26 February 2016

Original: English

Letter dated 25 February 2016 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 2262 (2016), adopted by the Security Council on 27 January 2016, by which the Council decided to extend the mandate of the Panel of Experts on the Central African Republic for a period of 13 months.

Accordingly, I wish to inform you that, after consulting with the Security Council Committee established pursuant to resolution 2127 (2013) concerning the Central African Republic, I have appointed the following experts:

Luis Ángel **Benavides Hernández**, humanitarian (Mexico)
Mélanie **De Groof**, arms (Belgium)
Ruben **de Koning**, finance/natural resources (Netherlands)
Romain **Esmenjaud**, armed groups (France)
Paul-Simon **Handy**, regional (Cameroon)

I have designated Mr. de Koning to serve as Coordinator of the Panel of Experts.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

16-03116 (E) 290216

Please recycle

United Nations S/2016/189

Security Council

Distr.: General
26 February 2016

Original: English

Report of the Secretary-General on the implementation of Security Council resolution 1701 (2006)

Reporting period from 5 November 2015 to 26 February 2016

I. Introduction

1. The present report provides a comprehensive assessment of the implementation of Security Council resolution 1701 (2006) since my previous report of 4 November 2015 (S/2015/837).

2. Two serious breaches of the cessation of hostilities between Israel and Lebanon threatened the fragile calm along the Blue Line and in the area of operations of the United Nations Interim Force in Lebanon (UNIFIL). The violations of resolution 1701 (2006) took place on 20 December 2015, when three rockets were fired from the UNIFIL area of operations towards Israel, and on 4 January 2016, when Hizbullah carried out an improvised explosive device attack against two Israel Defense Forces vehicles south of the Blue Line in the Shab'a Farms area. On both occasions, the Israel Defense Forces responded with artillery and mortar fire north of the Blue Line. In both instances, UNIFIL immediately engaged with the Lebanese Armed Forces and the Israel Defense Forces to restore the cessation of hostilities and prevent any further escalation and my Special Coordinator engaged with the parties in Lebanon and Israel and regional stakeholders to contain the violence and prevent it from spreading further. Following the incident on 4 January, Israel and Lebanon reaffirmed their commitment to the implementation of resolution 1701 (2006) and to stability along the Blue Line.

3. These incidents and the broader security situation in Lebanon continue to reflect the vulnerability of the country owing to the continued impact of the conflict in the Syrian Arab Republic. On 12 November, there was a major terrorist attack in Beirut. The Islamic State in Iraq and the Levant (ISIL) claimed responsibility for a suicide bombing that killed over 43 people and injured over 200 others in the Burj al-Barajneh neighbourhood of Beirut. Along the eastern border of Lebanon and particularly around the town of Arsal, the situation remains unstable. There were frequent clashes between the Lebanese Armed Forces and Syrian armed groups, including the Nusra Front and ISIL, and there was fighting between the Nusra Front and ISIL by the Lebanese-Syrian border in the Qalamoun area. On 28 December, over 450 people, including the injured and their accompanying family members,

16-03111 (E) 090316

Please recycle

were evacuated through Lebanon in implementation of a local agreement concerning four towns in the Syrian Arab Republic. On 1 December, the Nusra Front released the 16 Lebanese Armed Forces personnel held since August 2014, as part of a package deal involving the release of some prisoners held in Lebanon. Nine other servicemen held by ISIL remain in captivity.

4. There was some political momentum towards ending the 20-month presidential vacancy following parallel initiatives between the leaders of the 14 March movement and the 8 March Alliance. Notwithstanding the endorsement of Sleiman Franjieh by Future Movement leader Saad Hariri and the endorsement of Michel Aoun by Lebanese Forces leader Samir Geagea, a thirty-fifth parliamentary session to elect a president was inquorate owing to the continued boycott of members of Hizbullah and the Free Patriotic Movement. There were further sessions of the "parliamentary dialogue", chaired by Speaker Berri, and the dialogue between the Future Movement and Hizbullah continued as well.

5. On 12 and 13 November, the Parliament met in an extraordinary session and passed a number of necessary economic and financial bills. Following an agreement brokered by Speaker Berri, the Cabinet met on 28 January 2016 in the first full session since July 2015. In that session, a number of decrees were passed, including the appointment of three Generals to the military council. In another session, on 2 February, the Cabinet authorized the budget for municipal elections to be held in May 2016. Prime Minister Tammam Salam continued his efforts to allow the Government to function and to ensure the continuity of some of the State institutions. During the reporting period, there continued to be regular, limited protests by civil society calling for better governance and improved delivery of services.

6. The number of Syrian refugees registered by the Office of the United Nations High Commissioner for Refugees (UNHCR) in Lebanon remained stable during the reporting period owing to the entry regulations introduced by the Government of Lebanon in 2015 restricting access except in exceptional humanitarian circumstances. As at 31 December 2015, 1,069,111 Syrian refugees had been registered by UNHCR, including 55,833 in the UNIFIL area of operations. The total number of registered refugees saw a slight reduction of 9,227 people since my previous report, owing to continuous verification processes conducted by the United Nations, returns to the Syrian Arab Republic and some departures to third countries. During the reporting period, Syrians continued transiting from Lebanon to Turkey, hoping to reach Europe. Asylum seekers transiting to Turkey through Lebanon are facing restricted access by air to Turkey following a change in entry regulations that took effect on 8 January 2016.

7. The situation in the Palestinian refugee camps was tense during the reporting period, particularly following the announcement on 14 December that adjustments to the hospitalization policy of the United Nations Relief and Works Agency for Palestine Refugees would be implemented from January 2016. The announcement was followed by sit-ins and peaceful protests in front of UNRWA installations in the camps. Since 11 January, there has been a significant escalation in the protests, forcing the temporary closure of a number of UNRWA installations, and sporadic general strikes, which forced the complete closure of UNRWA operations in the camps. Threats against UNRWA staff members were also voiced.

II. Implementation of resolution 1701 (2006)

A. Situation in the area of operations of the United Nations Interim Force in Lebanon

8. On 20 December, UNIFIL radar recorded three rockets that had been launched towards Israel from the area of Hinniyah, south of Tyre (Sector West). One landed in a field south of the Blue Line, another fell into the sea off the coast of Israel, and the impact site of the third could not be located. Following the rocket attack, the Israel Defense Forces fired seven mortar rounds into an area near Zibqin (Sector West). No injuries were reported. There was no claim of responsibility for the launching of rockets, which was widely seen as a reaction to the killing of Hizbullah militant Samir Kuntar on 19 December, in what Hizbullah alleged was an Israeli air strike in Damascus.

9. On 4 January, the Israel Defense Forces informed UNIFIL that three improvised explosive devices had been detonated against two Israel Defense Forces vehicles south of the Blue Line, in the Shab'a Farms area. After the attack, the Israel Defense Forces fired a total of 122 high explosive and smoke shells, 82 of which impacted north of the Blue Line, in the vicinity of Arab al-Wazzani, Bastara, Majidiye and Meri (Sector East). The Israel Defense Forces reported that two soldiers had been treated for shock as a result of the attack. The Lebanese Armed Forces informed UNIFIL that there had been no injuries and only minor damage on the Lebanese side. Hizbullah publicly claimed responsibility for the attack, attributing it to a "Martyr Samir al-Kuntar Group" in reference to the alleged Israeli air strike of 19 December.

10. During both incidents, UNIFIL and my Special Coordinator maintained close contact with the parties, including the Lebanese Armed Forces and the Israel Defense Forces, and urged them to exercise the utmost restraint and to restore the cessation of hostilities. In cooperation with the parties, UNIFIL carried out investigations to determine the facts and circumstances of the incidents. In his letters of 20 December 2015 (S/2015/1003) and 4 January 2016 (S/2016/4), the Permanent Representative of Israel stated that Israel held the Government of Lebanon fully responsible for any actions coming out of its territory; he called upon the Security Council to condemn Hizbullah and the attacks and to demand that the Government of Lebanon meet its obligations under resolution 1701 (2006). In a statement on 26 January (S/PV.7610), the representative of Lebanon asserted that on 4 January, Israel had bombarded six Lebanese villages for one hour, noting that such unilateral actions undermined the credibility of UNIFIL and the Lebanese Armed Forces, threatened their security and jeopardized efforts to maintain stability in the region.

11. UNIFIL monitors the area of operations and the Blue Line and reports all the violations of resolution 1701 (2006) that it observes, including the presence of unauthorized armed personnel or weapons. In accordance with its mandate, UNIFIL does not proactively search private property for weapons in the south unless there is credible evidence of a violation of resolution 1701 (2006), including an imminent threat of hostile activity from that location. In situations in which specific information is received regarding the illegal presence of armed personnel, weapons or infrastructure inside its area of operations, UNIFIL, in cooperation with the Lebanese Armed Forces, remains determined to act with all means available within

its mandate and capabilities. To date, UNIFIL has neither been provided with, nor found, evidence of the unauthorized transfer of arms into its area of operations.

12. UNIFIL continued to observe the presence of civilians carrying unauthorized weapons in its area of operations, the majority of which were hunting weapons. On numerous occasions, armed hunters crossed the Blue Line. Most of the observed violations took place in the area of Blida (Sector East), where the Blue Line is visibly marked on the ground. On 5 December, in the area of Blida, an Israel Defense Forces patrol fired a smoke grenade in response to a violation of the Blue Line by an armed hunter, after which the hunter returned north of the Blue Line. In the same area, on 13 December, an Israel Defense Forces soldier fired one shot in the air after a hunter had crossed the Blue Line. UNIFIL protested to the Lebanese Armed Forces regarding the carrying of unauthorized weapons and Blue Line violations by armed hunters, reiterating that it is the primary responsibility of the Government of Lebanon to ensure that there is no unauthorized armed presence in the UNIFIL area of operations and that the Blue Line is respected in its entirety.

13. Almost all other ground violations of the Blue Line were committed by Lebanese shepherds and farmers, mainly in the areas of Shab'a Farms and Bastara (Sector East). UNIFIL personnel continued to warn shepherds and farmers approaching the Blue Line and to call on them to return whenever they were observed south of the Blue Line. On 31 January 2016, UNIFIL observed 12 civilians led by a local Member of Parliament, as well as a member of the Lebanese Armed Forces, crossing south of the Blue Line by approximately 10 metres for about one hour in the area of Bastara. The violation took place during a demonstration against vegetation clearance by the IDF in the Shab'a Farms.

14. Two ground violations by the Israel Defense Forces were observed by UNIFIL on 15 December, when an Israel Defense Forces excavator violated the Blue Line by about 10 metres, crossing into the Lebanese side in the vicinity of Shab'a village (Sector East) and, in a nearby location, 8 Israel Defense Forces soldiers violated the Blue Line by about 30 metres. UNIFIL protested both violations.

15. On 1 December, UNIFIL personnel heard an explosion in the vicinity of Khiam (Sector East). The Lebanese Armed Forces subsequently informed UNIFIL that a spying device had been detonated, allegedly by the Israel Defense Forces, causing injuries to two Lebanese civilians in a nearby vehicle.

16. On 5 November, the Israel Defense Forces informed UNIFIL that they had in custody a Lebanese civilian whom they said had crossed the Blue Line in the vicinity of Marun Ar-Ra's (Sector West). UNIFIL facilitated his repatriation on the same day and opened an investigation into the circumstances of the incident. On 5 February, UNIFIL facilitated the safe return to Israel of an Israeli citizen who was being held in custody by Lebanese authorities after having crossed the Blue Line some days earlier.

17. Israeli violations of Lebanese airspace continued almost daily, mostly with unmanned aerial vehicles and fixed-wing aircraft, in violation of resolution 1701 (2006) and Lebanese sovereignty. UNIFIL protested the overflights to the Israel Defense Forces and called upon the Government of Israel to stop them immediately. The Government of Lebanon also protested the violations to UNIFIL.

18. Israel continued the occupation of northern Ghajar and an adjacent area north of the Blue Line, in violation of resolution 1701 (2006) and of Lebanese

sovereignty. To date, Israel has not replied to the proposal submitted by UNIFIL to both parties in 2011 concerning security arrangements aimed at facilitating the withdrawal of the Israel Defense Forces from the area. The Lebanese Armed Forces informed UNIFIL in July 2011 of its agreement to the proposal.

19. Between 31 December 2015 and 4 January 2016, the Israel Defense Forces carried out a series of daily exercises involving artillery and mortar fire in the vicinity of the Blue Line in Sector East. UNIFIL protested the fact that the exercises involved firing close to the Blue Line and UNIFIL positions, posing a threat to UNIFIL peacekeepers and to the Lebanese population and limiting the freedom of movement of some UNIFIL troops, who had to go into shelter during the exercise on 4 January.

20. During the reporting period, UNIFIL generally continued to enjoy full freedom of movement throughout its area of operations. A few isolated incidents of aggressive behaviour against the Force nevertheless took place. In the most serious incident, on 17 November, a UNIFIL armoured vehicle was blocked on the road west of Tayr Harfa (Sector West) by two civilian vehicles with five men armed with two assault rifles and heavy hammers. During the ensuing confrontation, one of the men fired five rounds in the air, while another used a hammer to dislodge the machine gun and ammunition mounted on the roof of the UNIFIL vehicle. This prompted the UNIFIL troops to fire warning shots in the air. Before leaving the scene, the men forcibly removed additional military equipment from the UNIFIL vehicle. On 15 November, a UNIFIL patrol was blocked by four cars and approximately 20 civilians in the vicinity of Zibqin (Sector West). One of the civilians threatened a UNIFIL peacekeeper with a knife and another attempted to take the pistol of the patrol leader, while others threw stones. In response, UNIFIL fired warning shots in the air, after which the crowd dispersed. Earlier, on 7 November, a boy fired a hunting weapon in the general direction of a UNIFIL peacekeeper guarding a United Nations position in Sector West, resulting in a pellet hitting the peacekeeper on his fragmentation jacket but causing no injuries.

21. UNIFIL strongly protested these incidents to the Lebanese Armed Forces and representatives of the Government of Lebanon, requesting a full investigation, the return of all stolen equipment and that measures be taken to prevent this kind of incident in the future. All interlocutors condemned the incidents and expressed their commitment to addressing the situation, reiterating the continued appreciation of the UNIFIL presence on the part of the local communities. The stolen equipment was returned to UNIFIL on 25 November.

22. Notwithstanding these isolated incidents, UNIFIL relations with the local population remained largely positive. UNIFIL continued to carry out outreach activities with local authorities, religious leaders and civil society, who consistently expressed their appreciation for the activities carried out by the Force and their determination to cooperate with its personnel to maintain calm in the area of operations.

23. UNIFIL continued to implement quick-impact projects and civil military cooperation initiatives to support the extension of State authority in the area of operations and to assist local authorities in addressing some of the most pressing needs of the population. UNIFIL conducted joint training with Lebanese Civil Defence personnel on firefighting and search and rescue operations. It also organized a training session with municipal police personnel from the area of

operations, in collaboration with the United Nations Development Programme (UNDP). UNIFIL contingents continued to provide dental, medical and veterinarian assistance to the local communities.

24. The UNIFIL Head of Mission and Force Commander continued his regular engagements with the Lebanese authorities, ensuring a coordinated approach to the security challenges in the UNIFIL area of operations and seeking increased involvement of the Government of Lebanon, its ministries and security institutions in southern Lebanon.

25. The Lebanese Armed Forces continued to deploy two brigades south of the Litani River. In the light of the tense security situation along the eastern border with the Syrian Arab Republic, the Lebanese Armed Forces maintained a reinforced presence in the north-eastern part of the UNIFIL area of operations (Shab'a village and the Arqoub area). During the reporting period, UNIFIL conducted an average of 14,000 operational activities monthly throughout the area of operations, including patrols, checkpoints and observation tasks. The increase in operational activities in the reporting period compared with the previous period was aimed at enhancing security in areas close to the Blue Line, in particular during the harvest season, and preventing incidents during periods of heightened tension, such as following the incidents of 20 December 2015 and 4 January 2016. The number of operational activities carried out by UNIFIL in close coordination with the Lebanese Armed Forces remained largely at the same level as in the previous period.

26. UNIFIL also continued to carry out joint exercises and training with the Lebanese Armed Forces to further strengthen the tactical and operational capabilities of the Forces and enhance operational coordination and the effectiveness of joint operations. As at 31 January, UNIFIL had conducted 367 joint exercises, workshops and courses with the Lebanese Armed Forces, including its Navy. In accordance with its mandated tasks, the UNIFIL Maritime Task Force provided training for the Lebanese Armed Forces Navy and carried out maritime interdiction activities. During the reporting period, as at 31 January, the Maritime Task Force had hailed 1,632 ships and the Lebanese authorities had inspected and declared clear 337 vessels, in order to ensure that no unauthorized weapons or related materiel were transferred into Lebanon.

27. Although UNIFIL has no mandate to monitor the line of buoys, which was unilaterally installed by Israel and is not recognized by the Government of Lebanon, the Maritime Task Force maintained a visible presence in the southern part of the UNIFIL area of maritime operations to prevent tensions in the vicinity of the disputed maritime border between Israel and Lebanon. During the reporting period, it was observed that the Israel Defense Forces continued to carry out frequent maintenance activities at that line. Furthermore, on several occasions, Israel Defense Forces patrol boats positioned south of the line of buoys fired machine gun rounds and flares in a westerly direction.

B. Security and liaison arrangements

28. UNIFIL liaison and coordination arrangements with the parties remained a key element in the efforts to safeguard the cessation of hostilities, ensure respect for the Blue Line and promote security and stability in southern Lebanon.

29. Since my previous report, UNIFIL facilitated regular tripartite meetings on 25 November 2015 and 28 January 2016, during which representatives of the Lebanese Armed Forces and the Israel Defense Forces addressed security and military operational issues relating to the implementation of resolution 1701 (2006). Discussions focused on air and ground violations, the occupation of northern Ghajar by the Israel Defense Forces, the presence of unauthorized weapons in the UNIFIL area of operations and claims by the Israel Defense Forces that Hizbullah carries out reconnaissance activities along the Blue Line, as well as the implementation of confidence-building measures to mitigate the scope for incidents along the Blue Line. On 28 January, the parties discussed the importance of preventing further breaches of the cessation of hostilities and reiterated their commitment to continue to make efforts towards practical localized solutions.

30. The UNIFIL Head of Mission and Force Commander also maintained regular bilateral engagement with the civilian and military leadership in Lebanon and Israel to gain support for the implementation of measures aimed at reducing violations of resolution 1701 (2006), lowering tension and building confidence along the Blue Line. There was no progress towards the establishment of a UNIFIL liaison office in Tel Aviv.

31. On the ground, UNIFIL facilitated the smooth conduct of routine maintenance activities in sensitive areas close to the Blue Line, in close coordination with the parties. On 29 December, UNIFIL cleared vegetation affecting the Israeli technical fence in an area between Kafer Kela and Adeisse (Sector East) upon request by the Israel Defense Forces and in close coordination with the Lebanese Armed Forces. Additionally, UNIFIL continued to maintain liaison with the parties to facilitate the coordinated conduct of winterization works, such as clearing culverts of vegetation and mud, in other areas close to the Blue Line.

32. UNIFIL continued to work with the parties to visibly mark the Blue Line. During the reporting period, the parties carried out field visits with UNIFIL to measure and validate additional points and agreed on new points to be marked. As at 31 January, the parties had agreed to mark 314 Blue Line points out of a total of 528. Access paths to 313 of the agreed points have been demined and 255 points have been measured. The parties have verified 227 of the 238 Blue Line markers constructed by UNIFIL.

33. UNIFIL also continued to support the Lebanese Armed Forces through the implementation of the strategic dialogue plan and the promotion of military assistance by international donors to the Lebanese Armed Forces in the UNIFIL area of operations. UNIFIL participated in the eighth meeting of the Executive Military Commission, chaired by the Lebanese Armed Forces, on 4 December. On 27 November, UNIFIL and the Lebanese Armed Forces conducted a joint meeting of the strategic dialogue subcommittee on training.

C. Disarming armed groups

34. The firing of rockets on 20 December again provided evidence of the presence of arms outside the control of the Lebanese State south of the Litani River. The attack on 4 January proved Hizbullah's military capability and its readiness and willingness to use such capability in violation of resolution 1701 (2006). The maintenance of arms by Hizbullah and other groups outside the control of the

Lebanese State, in violation of resolutions 1559 (2004), 1680 (2006) and 1701 (2006), continues to restrict the State's ability to exercise full sovereignty and authority over its territory. In a televised statement on 16 February, the Secretary-General of Hizbullah, Hassan Nasrallah, again asserted that Hizbullah maintains a rocket arsenal, which he claimed serves as a deterrent against potential aggression by Israel. In the televised statement, he threatened to use the rockets to attack Israeli storage installations, which would lead to the deaths of tens of thousands of Israeli citizens. There were no meetings of the National Dialogue during the reporting period and no other formal discussion of Hizbullah's arms.

35. Following the terrorist attack in Burj al-Barajneh on 12 November, the security services reported the arrest of a number of ISIL suspects. Between 18 and 20 November, the security services raided locations in Sidon, Tripoli and elsewhere across Lebanon and seized a quantity of arms, explosives and belts for suicide attacks. They also arrested suspects believed to be preparing further suicide attacks.

36. During the reporting period, there was no progress in the dismantling of the military bases maintained by the Popular Front for the Liberation of Palestine-General Command and Fatah al-Intifada. In 2006, it was decided in the National Dialogue that the bases should be dismantled. The existence of the bases continues to compromise Lebanese sovereignty and impede the ability of the State to monitor and control effectively parts of the Lebanese border.

D. Arms embargo and border control

37. In its resolution 1701 (2006), the Security Council decided that all States should prevent the sale or the supply of arms and related materiel to entities or individuals in Lebanon by their nationals or from their territories or using their flag vessels or aircraft. In the same resolution, the Council also called upon the Government of Lebanon to secure its borders and other entry points so as to prevent the entry of arms and related materiel into Lebanon without its consent.

38. Representatives of the Government of Israel have consistently reported to the United Nations that, according to their information, there are significant ongoing arms transfers to Hizbullah across the Lebanese-Syrian border and that Hizbullah has now amassed an arsenal of over 100,000 missiles and rockets, much of which Israel claims is located in civilian residential areas. Most recently, such allegations were reiterated in the letters of 20 December 2015 (S/2015/1003) and 4 January 2016 (S/2016/4) referenced in paragraph 10 above. In a statement to the Security Council on 26 January, the Permanent Representative of Israel provided examples of locations that, according to Israel's information, have been turned into fighting positions by Hizbullah. The United Nations takes those allegations seriously, including in the light of public statements by Hizbullah, but is not in a position to verify them independently.

39. Hizbullah remained engaged in the conflict in the Syrian Arab Republic. Funerals for Hizbullah fighters killed in the Syrian Arab Republic continued to be held in Lebanon and, on 14 November, three Hizbullah fighters were reported to have been captured near Aleppo. Other Lebanese individuals are also reported to have joined armed groups fighting in the Syrian conflict. There continue to be reports of Lebanese nationals joining ISIL in the Syrian Arab Republic, and the

number of suspected ISIL members arrested by security forces in Lebanon reflects the role of radicalization by extremist groups.

40. The situation along the Lebanese-Syrian border was tense during the reporting period. On 6 November, a bomb exploded in the town of Arsal, causing four fatalities and a number of injuries. On 7 November, a second bomb targeted a Lebanese Armed Forces patrol in Arsal and injured five soldiers. The Forces continued to deploy robustly around Arsal and along the border. In early February 2016, the Lebanese Armed Forces raided a location in Arsal and arrested a number of ISIL suspects and seized an arms cache that also contained suicide belts. The Forces reported multiple clashes with militants trying to infiltrate into Lebanon, which caused a number of fatalities.

41. There were continued reports of movement of fighters and arms trafficking between Lebanon and the Syrian Arab Republic during the reporting period. On 8 and 17 November 2015, the security services detained smugglers in possession of arms. On 14 January 2016, former Minister Michel Samaha was released from prison on bail pending his appeal of his conviction.

42. During the reporting period, there continued to be a number of incidents of cross-border fire from the Syrian Arab Republic into Lebanon. There were 31 shooting incidents, 32 shelling incidents, three rocket attacks targeting towns in Lebanon and two air strikes by Syrian Government aircraft on Lebanese territory. No casualties were reported as a result of those incidents.

43. On 12 November, the Parliament approved the allocation of $800 million for the Lebanese Armed Forces. The funds were intended to enable the Forces to renovate infrastructure and to be used for logistics and other non-lethal equipment not covered by the $3 billion grant from Saudi Arabia for the provision of arms and materiel from France. The Lebanese Armed Forces is in the process of updating its capabilities development plan to reflect assistance received to date and to highlight outstanding priority areas of need. Consistent with earlier calls by the Security Council and the International Support Group for Lebanon, international partners continue to also support the Lebanese Armed Forces on a bilateral basis to enhance the army's capability to secure Lebanon's borders with the Syrian Arab Republic and counter terrorist threats.

44. The continued implementation of security plans in Tripoli and the Bekaa contributed to a general calm in those areas, although incidents of concern occurred during the reporting period. As a result of the widespread illegal possession of arms, firearms were again used by criminals and in personal disputes. A series of incidents involving firearms caused a number of fatalities and injuries in Zahle, in the Bekaa town of Maqneh and in Baalbek, as well as in Dar al-Wasa where there were casualties from the Lebanese Armed Forces. On 1 February, the Lebanese Armed Forces arrested 39 people and seized a quantity of explosives, arms and ammunition after one person was killed and four injured in an armed disputed between two families.

45. As at 31 December 2015, over $1.1 billion of the $1.87 billion required for the 2015 Lebanon crisis response plan had been contributed. In December, the Government of Lebanon and the United Nations jointly launched the 2016 Lebanon crisis response plan, which requires $2.48 billion to provide humanitarian assistance

and protection to almost 2.8 million highly vulnerable people and invest in services, economies and institutions.

46. The Supporting Syria and the Region conference, held in London on 4 February 2016, resulted in an important shift in Lebanon's approach to addressing the Syrian refugee crisis. In its statement of intent presented at the conference, the Government of Lebanon publicly acknowledged that Syrian refugees are likely to remain in-country for a prolonged period of time and that more sustainable solutions are required pending their eventual return when conditions permit. International partners pledged important support not only to meet immediate humanitarian needs but also to address the longer-term stabilization and development priorities identified by the Government. In turn, the Government committed to reviewing existing regulatory frameworks relating to residency conditions and work authorizations, to enable the employment of Syrian refugees. Both issues constituted the main obstacle for refugees in securing livelihoods and accessing services. Approximately 70 per cent of Syrian refugees continue to live below the poverty line and increasingly depend on international assistance to meet basic needs. As a result of deteriorating conditions, there continued to be reports of negative coping mechanisms, including early and forced marriage, survival sex and child labour.

47. Following the launch in September 2015 of the "Back to School" campaign, approximately 249,000 Lebanese and 160,000 Syrian refugee children are now benefiting from free education in public schools. Those efforts notwithstanding, at least 300,000 Syrian children are still out of formal education. The Ministry of Education is currently developing a second "Reaching All Children with Education" plan aimed at enrolling all school-aged refugee children in formal and non-formal education and ensuring the retention of Lebanese children enrolled in public education.

48. Very few Palestine refugees entered Lebanon from the Syrian Arab Republic during the reporting period owing to the application of entry restrictions imposed by the Government of Lebanon in May 2014. The total number of Palestine refugees from the Syrian Arab Republic registered with UNRWA in Lebanon decreased slightly, to 42,000, following the return of some refugees to the Syrian Arab Republic, with others reportedly leaving the country in an attempt to reach Europe. They continue to face restrictions on renewing their legal status in Lebanon, which is causing further humanitarian challenges. The suspension of monthly cash assistance for housing, which started in July 2015, also increased the vulnerability of this group.

E. Landmines and cluster bombs

49. As in the previous reporting period, five manual mine clearance teams, one explosive ordnance disposal team and one mechanical mine clearance team were validated and deployed in the UNIFIL area of operations. UNIFIL cleared 136 square metres of contaminated land to provide access to Blue Line points during the reporting period. Furthermore, the United Nations Mine Action Service conducted eight quality assurance visits to operational and completed sites in the area of operations and seven safety monitoring visits to refurbishment sites. The Mine Action Service contributed mine risk awareness education material to the

Lebanon Mine Action Centre in the form of 5,000 puzzles to be distributed in the schools of Lebanon.

F. Delineation of borders

50. No progress was made towards the delineation or demarcation of the Lebanese-Syrian border during the reporting period, including in areas where it is uncertain or disputed, as called for in Security Council resolutions 1680 (2006) and 1701 (2006). The delineation and demarcation of the border between Lebanon and the Syrian Arab Republic must be carried out as soon as practicable so that the Government of Lebanon can extend its authority throughout all Lebanese territory and the Lebanese security forces and the Lebanese Armed Forces can secure the borders to prevent the entry of arms or related materiel.

51. There has also been no progress on the issue of the Shaba'a Farms. There has still been no reaction to the provisional definition of that area contained in my report of 30 October 2007 on the implementation of resolution 1701 (2006) (S/2007/641) from either Israel or the Syrian Arab Republic.

III. Security and safety of the United Nations Interim Force in Lebanon

52. UNIFIL reviewed its security plans and risk mitigation measures in close coordination with the Lebanese authorities and provided security awareness training to its personnel and their dependants. Force protection works to upgrade installations and assets are ongoing. Stringent security measures remain in force in the Arqoub area (Sector East), where movements by UNIFIL and other United Nations civilian personnel require security escort. UNIFIL implemented temporary precautionary measures during the 20 December and 4 January incidents, including restrictions of movement in some areas and personnel taking shelter in some United Nations positions.

53. UNIFIL continued to monitor proceedings at the Lebanese Military Court against individuals suspected of planning or perpetrating serious attacks against UNIFIL. In the case of a serious attack against UNIFIL peacekeepers serving with the Spanish contingent in 2007, a hearing at the Permanent Military Court was conducted on 30 October 2015, and the next one is scheduled for 1 July 2016. In the case of a serious attack in 2008, in which one of the four previously sentenced perpetrators filed an appeal, a hearing at the Military Court of Appeal was held on 25 November 2015, and the next one is scheduled for 10 March 2016. In three cases of serious attacks perpetrated in 2011, the investigation is ongoing. In a case of terror intent opened in January 2014, a hearing at the Permanent Military Court was held on 5 February. The Court scheduled the next hearing for 13 June 2016.

IV. Deployment of the United Nations Interim Force in Lebanon

54. As at 5 February, UNIFIL consisted of 10,528 military personnel from 40 troop-contributing countries, including 394 women, as well as 252 international and 551 national civilian staff, including 75 and 145 women, respectively. In addition,

56 military observers of the United Nations Truce Supervision Organization (UNTSO), including 4 women, are part of UNIFIL. UNIFIL is working to increase the number of civilian and military women deployed, with a view to reducing the gender imbalance in the mission.

V. Observations

55. I reiterate my condemnation of the attack against two vehicles of the Israel Defense Forces on 4 January 2016, claimed by Hizbullah. I also condemn the firing of rockets towards Israel on 20 December 2015. Both incidents constituted serious violations of resolution 1701 (2006) and of the cessation of hostilities. Retaliatory fire by Israel into Lebanon is also in violation of resolution 1701 (2006) and the cessation of hostilities and does not conform to the United Nations expectation that the parties will notify UNIFIL of an incident and refrain from responding, except where clearly required in immediate self-defence.

56. I welcome the current resumption of calm but the incidents of 20 December and 4 January are a reminder that the situation along the Blue Line is fragile and vulnerable to developments in the region. There is a high risk of miscalculation as to the potentially devastating consequences for Lebanon and Israel. The incident of 4 January, in particular, posed a very real risk of renewed conflict across the Blue Line. I therefore call upon the parties to adhere fully to resolution 1701 (2006) and respect the cessation of hostilities and, to that end, urge them to take the necessary measures, in close coordination with UNIFIL, to prevent any act that may undermine calm and stability in the area.

57. I welcome the continued reliance by the Lebanese Armed Forces and the Israel Defense Forces on the UNIFIL liaison and coordination arrangements as a key element in preventing and defusing tensions along the Blue Line and containing incidents when they do occur. In that regard, both parties should notify UNIFIL of planned exercises, in particular if they take place in close proximity to the Blue Line and include live firing. Such activities could cause misunderstandings between the parties or place persons coming close to the Line, including UNIFIL personnel, in danger.

58. Consistent with the constructive approach adopted by both sides in the tripartite forum, I call upon the parties to step up efforts to fulfil their respective obligations to achieve further progress towards the full implementation of resolution 1701 (2006) and, in particular, to seek concrete ways to strengthen the foundation for a permanent ceasefire and long-term solution to the conflict, as envisaged in the resolution. I urge the parties to work with my Special Coordinator and UNIFIL to examine areas where progress can be made towards a permanent ceasefire.

59. I note the recent progress made by the parties, in cooperation with UNIFIL, on the visible marking of the Blue Line and call upon both sides to redouble their efforts to find points of agreement in relation to the stretches of the Blue Line where they consider marking to be contentious. I also recall that full respect for the Blue Line is a critical factor in maintaining calm and stability in the area and that any deliberate violation of the Blue Line is unacceptable.

60. The absence of progress on the Shaba'a Farms area in accordance with resolution 1701 (2006) is a source of increasing concern. Developments on the

ground during the reporting period demonstrated, once again, the potential for destabilization that comes from not addressing that issue. I reiterate my call to the Syrian Arab Republic and Israel to submit their responses to the provisional definition of the Shaba'a Farms area provided in my report of 30 October 2007.

61. The Israel Defense Forces continue to occupy northern Ghajar and an adjacent area north of the Blue Line, in violation of resolution 1701 (2006). I once more remind Israel of its obligation to withdraw its armed forces from the area, in accordance with the resolution. I urge the Israeli authorities to take steps to that end and encourage them to make further use of the UNIFIL presence, liaison and coordination arrangements to facilitate a smooth and secure withdrawal from the area.

62. It remains of serious concern that Israel continues to violate Lebanese airspace on an almost daily basis, in complete disregard of the sovereignty of Lebanon and the provisions of resolution 1701 (2006). I once again call upon the Government of Israel to cease all overflights of Lebanese territory and territorial waters.

63. I am deeply concerned about the presence of unauthorized weapons in the area between the Litani River and the Blue Line, in breach of resolution 1701 (2006), as clearly indicated by the firing of rockets from the UNIFIL area of operations and the use of assault rifles during the incident of 17 November 2015 against UNIFIL peacekeepers, as well as the frequent sighting by UNIFIL of individuals carrying hunting weapons. The continued presence of armed hunters, who at times also crossed the Blue Line, has the potential to cause incidents between the parties. I call upon the Government of Lebanon, who holds the primary responsibility to ensure that there are no unauthorized armed personnel, assets or weapons in the UNIFIL area of operations, to take all actions to that end.

64. I am concerned about the instances of aggressive behaviour against UNIFIL. I recall that the Government of Lebanon has the primary responsibility to ensure the safety and security of UNIFIL personnel and urge the Lebanese authorities to continue to cooperate with UNIFIL to guarantee adequate protection of the peacekeepers, including by bringing to justice the perpetrators of acts committed against them.

65. I am reassured, nevertheless, that these isolated incidents between local individuals and UNIFIL are not a reflection of the mission's relationship with the local population, which remains positive. I welcome the continued efforts by UNIFIL to cultivate that relationship and also welcome the fact that Lebanese authorities and communities in the area of operations have reiterated their commitment to work with UNIFIL to maintain the prevailing calm and stability.

66. The maintenance of arms by Hizbullah does not provide protection to Lebanon, as claimed by the group, but rather undermines the rule of law in Lebanon and poses serious threats to Lebanese sovereignty and stability. Nearly 10 years after a destructive but avoidable war between Hizbullah and Israel, the maintenance of arms by Hizbullah and other groups outside the control of the State continues to contradict the country's obligations under resolutions 1559 (2004) and 1701 (2006). I am deeply concerned at the readiness and willingness of Hizbullah to use its capabilities in violation of resolution 1701 (2006), as the incident of 4 January across the Blue Line again demonstrates. The threat made by Hizbullah Secretary-General Nasrallah against Israeli civilians on 16 February is a chilling example of unacceptable statements, which I condemn. Should Hizbullah's possession of arms

or attempts to procure sophisticated weapons provoke conflict, the consequences are potentially very grave for Lebanon and for the region. The arms held by Hizbullah and other groups are an issue to be addressed by the National Dialogue, and it remains vital that, once a President is elected, the National Dialogue reconvene as soon as possible to address issues of fundamental importance to Lebanon and of direct concern to the international community. It remains important that earlier decisions by the National Dialogue be implemented, specifically those relating to the disarmament of non-Lebanese groups and the dismantling of the bases of the Popular Front for the Liberation of Palestine-General Command and Fatah al-Intifada. Protracted deferral in dealing with these issues has increased the risks to Lebanon and Israel.

67. I condemn the participation of Lebanese citizens in the Syrian conflict, in breach of the policy of disassociation adopted by the Government of Lebanon and of the principles of the Baabda Declaration of June 2012, which was agreed upon by all Lebanese political parties and the importance of which has been reaffirmed by the Security Council. I call upon all Lebanese parties to cease any involvement in the Syrian conflict, consistent with their commitment in the Baabda Declaration, and to recommit to the policy of disassociation.

68. I remain concerned at the risk of further radicalization in Lebanon as a result of domestic factors and the regional environment. Consistent with the global Plan of Action to Prevent Violent Extremism, which I launched on 6 January, the United Nations stands ready to assist the Lebanese authorities in their efforts to prevent radicalization and violent extremism and is exploring avenues for early collaboration in that regard. I urge all national and international stakeholders to work with the United Nations to formulate a comprehensive approach to preventing violent extremism in Lebanon in order to protect the country's unique multi-confessional nature.

69. I condemn the movement of fighters and war materiel across the Lebanese-Syrian border in breach of resolution 1701 (2006), as well as shelling, shooting and aerial incursions into Lebanese border areas from the Syrian Arab Republic. I reiterate that the lack of a delineated, demarcated Lebanese-Syrian border is no justification for violations of Lebanese sovereignty by any party. I call upon the Government of the Syrian Arab Republic and groups fighting in Qalamoun to cease violations of the border and to respect the sovereignty and territorial integrity of Lebanon.

70. I note again the proliferation of arms outside the control of the Lebanese State. Illegally held firearms pose a serious threat to the security of the citizens of Lebanon and undermine the rule of law. I call upon Member States to uphold their obligations under resolution 1701 (2006) to prevent the sale or supply of arms or related materiel to entities or individuals in Lebanon.

71. I commend the Lebanese Armed Forces and the security services for their role in meeting the many security challenges faced by Lebanon, including securing Lebanon's borders with the Syrian Arab Republic, working alongside UNIFIL in southern Lebanon in implementation of resolution 1701 (2006) and ensuring domestic security. I reiterate the importance of the close collaboration between UNIFIL and the Lebanese Armed Forces in the implementation of resolution 1701 (2006). In particular, I recall that building the capacity of the Forces for tasks mandated under resolution 1701 (2006) in the UNIFIL area of operations is a

strategic priority and an important element towards the full implementation of the resolution. I note positively the appointment of the three members of the military council, ending the vacancies in those posts. It remains important that there be certainty in the process of appointing the leadership of the Lebanese Armed Forces and that the process remain depoliticized to ensure public confidence in the independence of the Lebanese Armed Forces. I welcome the continuing support of key bilateral partners in providing equipment and training to the Forces and in working to develop civil-military cooperation and human rights components. I urge international partners and donors to continue to be forthcoming in support of enhancing the capabilities of the Lebanese Armed Forces, consistent with the updated capabilities development plan and the strategic dialogue plan to enable the Forces to undertake the functions mandated under resolution 1701 (2006).

72. I welcome the renewed political engagement between the parties during the reporting period, which led to the legislation passed in Parliament in November 2015, the resumption of cabinet sessions and an intensification of efforts to resolve the presidential vacuum. I commend Prime Minister Salam's continued leadership and efforts to allow the Government to function effectively. The 20-month vacancy in the presidency remains of deep concern, given that it seriously impairs the ability of Lebanon to address the security, economic, social and humanitarian challenges facing the country. The protracted political crisis also risks fuelling deeper alienation and radicalization among segments of the population, to the detriment of responsible citizenship. I reiterate the call by the Security Council for all Lebanese leaders to adhere to the Constitution of Lebanon and to the Taef Agreement and National Pact, to put the stability and national interests of Lebanon ahead of partisan politics, and to act responsibly and with leadership and flexibility to urgently convene a parliamentary session and proceed to the election of a president. I therefore call upon Members of Parliament boycotting the parliamentary sessions on the presidency to convene urgently and elect a president without further delay.

73. I note the Government's allocation of the budget for municipal elections and welcome the opportunity for Lebanese citizens to exercise their right to elect their local representatives. I urge the Lebanese authorities to ensure that the municipal elections are held on time. I further encourage the Lebanese authorities to ensure that measures are taken to improve the representation of women and offer any further technical support by the United Nations necessary to assist in the process.

74. The proceedings of the Special Tribunal for Lebanon continue to reflect the international community's commitment to combating impunity. Separately, I note the release of former Minister Michel Samaha from prison on bail, pending his appeal of his conviction on terrorism charges in May 2015. I once again urge the Lebanese judicial and security authorities to continue their efforts to combat impunity.

75. I thank the Member States participating in the International Support Group for Lebanon and welcome the continued engagement, at the working level, by the Group in Beirut, led by my Special Coordinator. The Group has met to coordinate efforts and messaging on the peace and security, stabilization and humanitarian and developmental issues facing Lebanon. The Group remains an important forum for engagement with national stakeholders and for advocacy for expanded international engagement in support of the resilience, stability and security of Lebanon.

76. In the context of slowing economic growth, I remain concerned at the increased vulnerability, the rising poverty and the unemployment of refugee and host populations in Lebanon, in particularly among women and young people. I thank the Lebanese people and the Government of Lebanon for their continuing generosity towards refugees, pending conditions that allow for a safe return, and I note the continued importance of adherence to the principle of non-refoulement.

77. I am thankful for the increase in the support by the international community to Lebanon, in particular as part of the commitments to significantly increase support to the response to the Syrian crisis announced at the Supporting Syria and the Region conference held in London on 4 February. Given the scale of needs in-country, I reiterate my call for partners to sustain their engagement in Lebanon and to combine immediate humanitarian relief with longer-term approaches. Strengthening the economic stability and growth of Lebanon will help to alleviate deepening vulnerability among the Lebanese and the refugees and contribute to preserving the country's stability. The implementation of the London commitments will be crucial to address these challenges and expand economic opportunities for both host communities and refugees.

78. I welcome recent discussions on the new financing initiative to support the Middle East and North Africa region led by the World Bank, with the support of the United Nations and the Islamic Development Bank, which would provide an opportunity for Lebanon to access international financing at more concessional terms. Such an opportunity would help to lessen the economic and social burden of Lebanon and other countries hosting large numbers of Syrian refugees – all of which, through their response, are providing a global public good.

79. I welcome the continued commitment of the Palestinian leadership to disassociate the Palestinian camps in Lebanon from the violence in the region. The need to improve the living conditions of Palestine refugees in Lebanon, without prejudice to the resolution of the refugee question in the context of a comprehensive peace settlement, is ever more urgent. In that regard, the international community must commit additional resources to complete the reconstruction of the Nahr el-Bared Palestine refugee camp, which began in 2009. The recent protests show the increased reliance of the Palestine refugees on UNRWA services and indicate that a more sustainably funded UNRWA contributes to more stability in Lebanon and the region. Palestine refugees displaced in Lebanon from the Syrian Arab Republic are becoming increasingly vulnerable. I encourage donors to be forthcoming in their support of UNRWA, to avert a new funding crisis in 2016 and allow the Agency to carry out its mandate to assist Palestine refugees effectively.

80. For both Lebanon and Israel, exploration and development of their respective offshore oil and gas resources are national priorities. I again encourage both Lebanon and Israel to proceed with steps that would allow for a resolution of the dispute over the exclusive economic zone, given that no progress was made during the reporting period. The United Nations stands ready to assist if both parties so request.

81. Lebanon continues to suffer the impact of the crises across the region and of the Syrian conflict in particular. Breaches of the cessation of hostilities during the reporting period reflect again the danger of the spillover of violent events in the Syrian Arab Republic and the serious threat they pose to the stability of Lebanon. The country's stability cannot be taken for granted. Lebanon continues to face a

multitude of complex challenges and the United Nations will continue to work to address those issues with its Lebanese and international partners in a "whole of Lebanon" approach that incorporates the Organization's commitment to human rights and gender equality. Progress on the implementation of resolution 1701 (2006) and other outstanding Security Council resolutions will be central to longer-term solutions to end the conflict in the region and to a just, lasting and comprehensive peace in the Middle East.

82. I wish to extend my continued appreciation to all countries contributing troops and equipment to UNIFIL and Observer Group Lebanon of UNTSO. I thank my Special Coordinator for Lebanon, Sigrid Kaag, and the staff of her office; the UNIFIL Head of Mission and Force Commander, Major General Luciano Portolano; and the military and civilian personnel of UNIFIL for their important roles in promoting stability and security in Lebanon and across the Blue Line at a critical time for Lebanon and the region.

United Nations A/ES-10/713–S/2016/190

General Assembly
Security Council

Distr.: General
26 February 2016

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Seventy-first year

Identical letters dated 26 February 2016 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

It is with great urgency that we continue to write to you regarding the deteriorating political, humanitarian, security and socioeconomic situation in the Occupied Palestinian Territory, including East Jerusalem, due to the ongoing illegal policies and practices of Israel, the occupying Power.

In this regard, I once again draw your attention to the arbitrary detention of Palestinian journalist Mohammed Al-Qiq, age 33, who is now in the ninety-fourth day of a hunger strike in protest against his administrative detention by Israel, the occupying Power, without charge. Doctors who are observing the health of Mr. Al-Qiq are anticipating his death at any moment, as they have reported that his body has now collapsed and that he is unable to speak. It must be recalled that Mr. Al-Qiq is one of 530 Palestinians who continue to be held without charge or trial in an Israeli prison or detention centre, and it should be noted that this number is just a fraction of the total number of more than 6,000 Palestinians who are currently incarcerated by the occupying Power. Today, media reports have emerged that an agreement has been reached to put an end to Mr. Al-Qiq's administrative detention. In this regard, we call on the international community to intervene and to call on the occupying Power to immediately release Mr. Al-Qiq, as well as the other Palestinian prisoners and detainees, including those who continue to be held without charge or trial.

On another front, civilian casualties continue to rise and fear and tensions are mounting as a result of the continued violent Israeli criminal actions being committed against the Palestinian people with complete and utter impunity. It is in this connection that we report to you that the Palestinian Ministry of Health has documented that since the beginning of October 2015, the Israeli occupying forces have killed at least 180 Palestinians, many of them children, and have injured more than 15,200 Palestinians, many of whom will have to live the rest of their lives with indescribable trauma, as well as permanent disabilities.

Please recycle

Below are just some of the innumerable crimes perpetrated by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, in the period since our previous letter to you:

18 February 2016:

- Israeli occupying forces detained three Palestinians in the West Bank.
- Two Palestinian children, Ayham Bassam Ibrahim Subih (age 14), and Omar Salim Rimawi (age 14) were shot and critically injured by occupying forces north-west of Jerusalem.

19 February 2016:

- Khaled Taqatqa (age 21) was shot dead by Israeli occupying forces in the Bethlehem village of Beit Fajjar.
- Mohammed Abu Khalaf (age 20) was shot dead by occupying forces outside Damascus Gate in Jerusalem's Old City.
- Abed Raed Abdullah Hamad was shot dead by Israeli occupying forces in the village of Silwad, near Ramallah.

20 February 2016:

- Israeli occupying forces detained a Palestinian child, Karam Atef Qasas (age 13), near Al-Ibrahmi Mosque in Al-Khalil, and summoned a youth from the Ramallah area for forced interrogation.

21 February 2016:

- A Palestinian minor was shot and injured by Israeli occupying forces before having been detained near the illegal Israeli settlement of "Kiryat Arba", to the east of Al-Khalil.
- Occupying forces detained 17 Palestinians from across the West Bank.
- Qusai Abu Ar-rub (age 17) was shot and killed by occupying forces near "Beta junction", to the south of Nablus.
- Three Palestinians were physically assaulted by occupying forces prior to and during their illegal detention at "Al-Maskobyeh" Israeli detention centre in northern Jerusalem.
- Israeli occupying forces shot live fire at Palestinian farmers to the south-east of Gaza city.

22 February 2016:

- A number of Palestinian teenagers were injured by rubber-coated steel bullets during clashes with Israeli occupying forces in the town of Qabatiya, south of Jenin.
- Occupying forces detained 20 Palestinians from across the West Bank.
- Occupying forces closed all roads leading to the town of Qabatiya, south of Jenin.
- Occupying forces served Palestinians with so-called notices to demolish three residential structures, two tents and three sheep barns in the villages of Tabban and Fakheit in Masafer Yatta, south of Al-Khalil.

23 February 2016:

- At least three Palestinians were injured by rubber-coated steel bullets, while dozens of others were suffocated by tear gas fired by Israeli occupying forces during clashes in the blockaded town of Qabatiya, south of Jenin.
- Occupying forces detained 30 Palestinians, including a 50-year-old blind man, during military raids across the West Bank.
- An elderly Palestinian woman, Zainab Rashida (age 60), was killed and her daughter, Fatima Abdul Yassin (age 30), was wounded when they were hit by a car driven by an Israeli settler in Jericho.

24 February 2016:

- Occupying forces served the families of three Palestinian teenagers who had been recently shot dead by occupying forces with demolition orders to their homes located in the town of Qabatiya, south of Jenin.
- Israeli naval boats opened machine gun fire on Palestinian fishermen who were sailing within the six-nautical-mile fishing zone offshore from Gaza.
- Occupying forces detained at least 17 Palestinians and summoned another during raids across the West Bank, mostly in Al-Khalil and Ramallah.
- Israeli occupying forces shot and moderately injured a Palestinian youth near the illegal "Gush Etzion" settlement bloc on the Al-Khalil-Bethlehem road.

25 February 2016:

- Israeli occupying forces detained 33 Palestinians during raids into several West Bank districts.
- Israeli occupying forces stormed and took measurements of the family house of Mamdouh Amro in the town of Dura, south of Al-Khalil, in preparation for planned demolition.
- Israeli bulldozers razed Palestinian agricultural structures in the town of Ni'lin, north-west of Ramallah.
- A group of aggressive settlers attacked Palestinians in Salaymeh neighbourhood, in the Old City of Al-Khalil.

26 February 2016:

- Israeli naval boats opened fire on Palestinian fishing boats off the coast of the southern Gaza Strip.
- A Palestinian was shot dead by Israeli occupying forces near the illegal settlement of "Beit El", north of Ramallah.

We wish to also bring to your attention that on Sunday, 21 February 2016, Israeli occupying forces, accompanied by 30 vehicles and bulldozers, demolished a Bedouin school for children in the Abu Al-Nuwaar community, near the town of Al-Eizariya in the occupied West Bank. It should be noted that this elementary school, which was funded by the European Union, was the sole school in the area, comprising six classrooms for first- and second-graders. Prior to demolishing the elementary school, occupying forces seized all its contents.

Unfortunately, this illegal practice of demolitions by the occupying Power is on the rise, as the number of Palestinians displaced thus far in 2016 is already equivalent to over half of the total number displaced in all of 2015. In this regard, the Office for the Coordination of Humanitarian Affairs has documented that, between 1 January and 15 February 2016, 283 Palestinian homes and other structures have been destroyed, dismantled or confiscated by the Israeli occupying forces, displacing 404 Palestinians, including 219 children. As was stated by the United Nations Coordinator for Humanitarian and Development Activities in the Occupied Palestinian Territory: "International law is clear — Palestinians in the West Bank have the right to adequate housing and the right to receive humanitarian assistance ... As the occupying power, Israel is obliged to respect these rights."

Last, we must bring to your attention the latest example of the constant Israeli incitement against the Palestinian people, which not only makes blatantly clear Israel's true feelings about the Palestinian people it holds captive, but also provides a terrifying insight into its dangerous intentions. On Tuesday, 23 February 2016, Israel's Education Minister, Naftali Benett, who is notoriously known for his hateful, racist rhetoric and incitement against Palestinians, was quoted in the media as stating: "We have to bury Palestinian anti-occupation fighters in secret cemeteries and knock down all the homes in their native villages ... Let's roll into every single home and rake through every single corner. The anti-occupation fighter must bear in mind that all of those around him are under threat."

This outrageous type of incitement must be condemned and stopped. It is clear that the occupying Power plans on continuing, as it has unsuccessfully tried to do over the course of nearly five decades of occupation, to crush any type of resistance against this illegal, belligerent occupation, irrespective of the fact that the Palestinian people have the right to resist occupation under international law, as well as the right to peaceful assembly, as enshrined in human rights law, and the right to demand their inalienable rights, including to self-determination and freedom, as recognized by the overwhelming majority of countries worldwide.

Given the above-mentioned realities of Israel's violations, we continue to call on the international community, including the Security Council, which has the primary Charter duty for the maintenance of international peace and security, to uphold its responsibilities and take immediate action to end all of Israel's violations and incitement against the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem. Israel cannot be permitted to act as a State above the law and must be compelled to comply with all of its obligations under international law, including humanitarian law and human rights law, and to finally end its illegal occupation. For as long as the Palestinian people are left without protection and without the fulfilment of their inalienable rights and legitimate national aspirations, and as long as the international community does not act, Israeli impunity will continue and, as our letters week after week prove, this will result in the loss of more innocent civilian lives, along with the loss of the prospects for peace.

The present letter is in follow-up to our 575 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 18 February 2016 (A/ES-10/712-S/2016/158), constitute a basic record of the crimes being committed by Israel, the

occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators be brought to justice.

I should be grateful if you would arrange to have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine to the United Nations

United Nations S/2016/191

Security Council

Distr.: General
26 February 2016

Original: English

Letter dated 23 February 2016 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the United Nations Peacekeeping Force in Cyprus (UNFICYP), established by the Security Council in its resolution 186 (1964), whose mandate has been extended most recently by the Council in its resolution 2263 (2016).

Following the usual consultations, I would like to inform you of my intention to appoint Ms. Elizabeth Spehar (Canada) as my Special Representative and Head of UNFICYP. Ms. Spehar would also perform the functions of Deputy to my Special Adviser on Cyprus. She succeeds Ms. Lisa M. Buttenheim (United States of America), who will take up the position of Assistant Secretary-General for Field Support at Headquarters. I would like to take this opportunity to express my gratitude to Ms. Buttenheim for her dedication and effective leadership of UNFICYP.

I would be grateful if you could bring this matter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

16-03133 (E) 290216

Please recycle

United Nations S/2016/192

Security Council

Distr.: General
26 February 2016

Original: English

Letter dated 26 February 2016 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 23 February 2016 (S/2016/191) concerning your intention to appoint Ms. Elizabeth Spehar (Canada) as your Special Representative and Head of the United Nations Peacekeeping Force in Cyprus (UNFICYP) has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) Rafael Dario **Ramirez Carreño**
President of the Security Council

16-03135 (E) 290216

Please recycle

United Nations S/2016/193

Security Council

Distr.: General
29 February 2016

Original: English

Letter dated 23 February 2016 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 1966 (2010), adopted on 22 December 2010, establishing the International Residual Mechanism for Criminal Tribunals, and, in particular, to the appointment of the President and the Prosecutor of the Mechanism.

The terms of office of the current President and the current Prosecutor of the Mechanism expire on 29 February 2016.

Article 11, paragraph 1, of the Statute of the Mechanism, set out in annex 1 to resolution 1966 (2010), provides that, after consultation with the President of the Security Council and the judges of the Mechanism, the Secretary-General shall appoint a full-time President from among the judges of the Mechanism.

I intend to reappoint Judge Theodor Meron of the United States of America, at present a judge in the Appeals Chamber of the International Tribunal for the Former Yugoslavia, as President of the Mechanism. As the first President of the Mechanism, Judge Meron has shown astute stewardship of the institution and played a leading role in ensuring that the Mechanism remains small and efficient, as envisaged by the Security Council in its resolution 1966 (2010). The judges of the Mechanism have been consulted, as stipulated in article 11, paragraph 1, of the Statute.

I note that the Security Council does not prescribe, either in its resolution 1966 (2010) or in the Statute of the Mechanism, the length of the term of office of the President. Pursuant to paragraph 17 of resolution 1966 (2010), the Mechanism shall operate for subsequent periods of two years after review by the Security Council of the progress of its work, unless the Security Council decides otherwise. I believe that it would be advisable to make the term of office of the President coterminous with the period of operation of the Mechanism. I therefore intend to reappoint the President for a term of office beginning on 1 March 2016 and ending on 30 June 2018 or for such period of time as would be consistent with any decisions that the Security Council may take concerning the term of office of the Prosecutor and the mandate of the Mechanism.

Regarding the Prosecutor, article 14, paragraph 4, of the Statute provides that the Prosecutor shall be appointed by the Security Council on nomination by the Secretary-General. He or she shall be of high moral character and possess the highest level of competence and experience in the conduct of investigations and prosecutions of criminal cases. The Prosecutor shall serve for a four-year term and

Please recycle

be eligible for reappointment. The terms and conditions of service of the Prosecutor shall be those of an Under-Secretary-General of the United Nations.

I also wish to draw your attention to article 7 of the Transitional Arrangements, set out in annex 2 to resolution 1966 (2010), which states that, notwithstanding the provisions of the Statutes of the Mechanism, the International Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), the President, Judges, Prosecutor and Registrar of the Mechanism may also hold the office of President, Judge, Prosecutor and Registrar, respectively, of ICTY or ICTR.

I hereby nominate Serge Brammertz of Belgium for appointment as Prosecutor of the Mechanism. As Prosecutor of ICTY since 1 January 2008, Mr. Brammertz has demonstrated remarkable determination in ensuring that persons indicted by ICTY face justice. The Mechanism would benefit from his experience and leadership in the prosecutorial functions.

I recall that, according to article 14, paragraph 4, of the Statute of the Mechanism, the Prosecutor shall serve for a four-year term. However, in the light of paragraph 17 of resolution 1966 (2010), and with a view to making the terms of office of the senior officials of the Mechanism coterminous with the period of operation of the institution, I would suggest that the Security Council consider appointing the Prosecutor for a term of office beginning on 1 March 2016 and ending on 30 June 2018.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

United Nations S/2016/194

Security Council

Distr.: General
29 February 2016

Original: English

Letter dated 27 February 2016 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 23 February 2016 (S/2016/193), in which you stated your intention to reappoint Judge Theodor Meron as President of the International Residual Mechanism for Criminal Tribunals and to nominate Serge Brammertz for appointment as Prosecutor of the Mechanism, has been brought to the attention of the members of the Security Council, who have taken note of it. The members of the Council also note the position expressed by the Russian Federation in a letter dated 27 February 2016 (S/2016/197).

(*Signed*) Rafael Darío **Ramírez Carreño**
President of the Security Council

16-03191 (E) 290216

Please recycle

United Nations S/2016/195

Security Council

Distr.: General
29 February 2016

Original: English

Uruguay: draft resolution

The Security Council,

Recalling its resolution 1966 (2010) adopted on 22 December 2010 and resolution 2256 (2015) adopted on 22 December 2015,

Recalling its decision in resolution 2038 (2012) adopted on 29 February 2012 appointing the Prosecutor of the International Residual Mechanism for Criminal Tribunals (the Mechanism) with effect from 1 March 2012 for a term of four years,

Having regard to Article 14, paragraph 4 of the Statute of the Mechanism, Annex 1 to resolution 1966 (2010),

Having considered the nomination by the Secretary-General to appoint Mr. Serge Brammertz as Prosecutor of the Mechanism (S/2016/193),

Noting that, according to Article 7, paragraph (a) of the Transitional Arrangements, Annex 2 to resolution 1966 (2010), the Prosecutor of the Mechanism may also hold the office of Prosecutor of the International Tribunal for the former Yugoslavia,

Recalling its decision by resolution 1966 (2010) that the Mechanism shall operate for an initial period of four years from the first commencement date referred to in paragraph 1 of the resolution, and to review the progress of the work of the Mechanism, including in completing its functions, before the end of this initial period and every two years thereafter, and that the Mechanism shall continue to operate for subsequent periods of two years following each such review, unless the Security Council decides otherwise,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to appoint Mr. Serge Brammertz as Prosecutor of the International Residual Mechanism for Criminal Tribunals with effect from 1 March 2016 until 30 June 2018, and that, thereafter, the Prosecutor of the Mechanism may be appointed or reappointed for a two-year term, notwithstanding Article 14, paragraph 4 of the Statute of the Mechanism;

2. *Decides* that, notwithstanding Article 10, paragraph 3 of the Statute of the Mechanism, the judges of the Mechanism may be appointed or reappointed for a two-year term;

3. *Decides* that, notwithstanding Article 15, paragraph 3 of the Statute of the Mechanism, the Registrar of the Mechanism may be appointed or reappointed for a two-year term;

4. *Decides* to remain seized of the matter.

16-03223 (E) 010316

Please recycle